

«Working Protocol
for Child Protection
Workers»

Preface

The transition of the Albanian society towards a new political, economic and social model still presents challenges related to the establishment and development of a child, family and community protection network.

Violation and failure to respect children's rights do not simply bring about physical and psychological consequences, but they affect in particular one's character and create the premises for the future citizen to grow up under the weight of constant fear, suppression and self-exclusion.

This Working Protocol for Child Protection Workers is an important publication that lays the ground for a well-organized and continuous child care so that they, as vulnerable beings, do not fall victim to their natural helplessness. The assessment of risk, children's needs and the response to them through public policies and through the central, local and regional institutions attests to the priorities of the Albanian state and Albanian government regarding Child Protection.

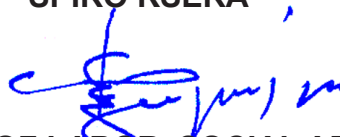
Over the years the Ministry of Labour, Social Affairs and Equal Opportunities has developed a number of initiatives of a strategic, legal and institutional character, which address different phenomena that affect the individuals, family and community.

In line with the Convention on the Rights of the Child, MoLSAEO continues to undertake legal initiatives, aimed at strengthening the child protection institutional mechanisms, establishing and institutionalizing roles and responsibilities. MoLSAEO also aims to standardize this Working Protocol, considering it the core source for directing and organizing the work of the Child Protection Workers.

The determination and better recognition of rights and duties that arise with regard to protecting children from phenomena that affect their well-being, take primary importance. In particular, the social workers and experts of the field carry a major responsibility and obligation, which stem from the commitment of the entire society to guarantee for children a childhood void of denigrating phenomena, just as the society should provide protection and a most natural return to previous life in the cases when children become victims of these phenomena.

The saying, "Who saves a man has saved a world" is a testimony of the human experience, which has historically been threatened by phenomena that have emerged in different forms. But while every nation sees its future in children, naturally, all the workers who will hold this valuable Working Protocol on their hands should remember that "Who saves a child, save the future."

SPIRO KSERA



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Introduction to the Piloting of Child Protection Units within Albania

National Child Protection Strategy ratified by the Decision of Council of Ministers No 368, dated 31.05.2005, is the document that defines the main directions of policy making for the protection of child rights for the period 2005-2010.

The implementation of the National Child Protection Strategy is a by-law obligation of the responsible central government authorities; however, the decentralization process of competences has assigned a significant role to the local government within the process of institutionalization and respecting child rights in Albania.

The increasing role of local government units within the process of child rights institutionalization is clearly envisioned in point 1.2 of the Strategy Action Plan, where it is highlighted: "The creation of specialized structures for the protection of children at a local level" as an essential policy and measure for the protection of children.

In support of the above-mentioned definition, the Ministry of Labor, Social Affairs and Equal Opportunities as the central responsible, coordinating and monitoring authority for the implementation of the National Child Protection Strategy has supported and facilitated UNICEF initiative for drafting the concept, establishment, promotion and strengthening of Child Protection Units, as a structure established by the local government with the aim of creating a sustainable national system for the protection of children.

This initiative was strongly supported by the organizations Terre des hommes, Save the Children, Alb-Aid (Previously VMA Kukes), World Vision and Partnerë për Fëmijët latterly in cooperation with the Ministry of Labor, Social Affairs and Equal Opportunities, UNICEF and other donors cooperating with the local government for the establishment of these units.

During 2005 – 2010, piloting resulted in the establishment of 15 Child Protection Units at a local government level.

Child Protection Units in Fier, Gjirokaster, Sarande, Elbasan, Korçe, Pogradec are established by Terre des hommes with the support of UNICEF; Durrës established by Terre des hommes with the support of USAID; Vlora established by Terre des hommes with the support of OSCE Presence in Albania; Shkoder and Peshkopi established by Partnerë për Fëmijët with the support of UNICEF; Kukes established by VMA Kukes with the support of UNICEF; Kuçovë established and supported by Save the Children, and 3 Units at a commune level respectively in Balldre, Kolsh and Zejmen in Lezha district, established and supported by World Vision.

The new structures for the protection of children are approved by the Municipality/Commune Council and are supported and qualified by the NGO-s implementing respective projects, supported by a Memorandum of Understanding signed between the Mayor and Head of Communes with the NGO-s. The terms of this Memorandum are defined and stated by bearing always in mind the best interest of the child.

The Protocol is a product of the efforts of the above-mentioned actors in order to give a wider and a more sustainable spectrum of the efforts on the part of the Workers involved in the field of Child Protection as well as in the framework of establishing, developing and strengthening these structures all over Albania.

Purpose of Working Protocol for Child Protection Workers

The Protocol has been devised to assist all persons working in the field of protecting child rights, particularly staff of local government administration departments, school psychologists, teachers, doctors, nurses, social workers, police, border and anti-trafficking police, NGO employees and volunteers working with children and families, kindergarten and crèche staff, but primarily the Child Protection Workers employed in the Child Protection Units at the Municipality and Commune level.

The **Working Protocol for Child Protection Workers** aims to help the Child Protection Unit Workers to:

- **Understand** what child protection is;
- **Guide** the work of the Child Protection Worker using a standardized approach;

- **Introduce** the principles of the best interest of the child;
- **Establish** the practice of multi-disciplinary work to protect children;
- **Implement** case management as a means of identifying, working and reviewing protective interventions with children;
- **Provide** a system of reliable data collection.

The Need for Child Protection Procedures

Child protection is such a wide concept that the society should first get to know and then should do something for the interventions and treatment of different problems related to child protection against neglect, abuse, violence, exploitation, trafficking etc. Meanwhile, different debates and attitudes about what the nature of the problem is and how to address it, are still being processed.

Recently the scientific doctrine has undergone a considerable shift in the way child abuse is defined and understood internationally.

The following are some of the things that have been learnt from research that has relevance to many countries.

- Every week children die at the hands of their caregivers;
- Professionals dealing with children can miss signs of abuse and confusion exists about when a child is in need of protection or family support;
- Boys and girls are equally at risk of child abuse (although types of abuse change);
- Most abuse is committed by people who children know and trust;
- Most child abuse is preventable. People in the community are often aware of what is happening but unsure and uninformed what to do about it;
- Recognition of an increased risk of vulnerability to abuse of disabled children and other children living away from home as well as asylum seeking and refugee children.

The broadening of our understanding and that of the main actors regarding child abuse into a global context further complicate the debate about child protection. Gaining agreement on definitions, legal responsibilities and who is responsible for perpetrating abuse is a complex process. Nevertheless, it has been recognized that the abuse of children is caused not just by adult family members, but also by friends, siblings and adults who are in positions of trust such as teachers, sponsors, residential workers, sports coaches, religious leaders and voluntary aid workers etc.

Bearing in mind these risks, it is important to define appropriate procedures to prevent these phenomena and to protect maltreated or neglected children, the purpose of the Protocol is to serve and regulate some of the procedures that guide the work of Child Protection Worker.

How to use this Protocol?

The **Child Protection Workers' Protocol** includes a step-by-step guide to the actions and work that a Child Protection Worker should follow when either identifying a child or receiving a referral of a child at risk of abuse, harm, neglect or exploitation.

The Child Protection Workers' Protocol is not intended to analyze or provide all the answers to issues related to children's problems, nevertheless, it provides the main directions of interventions to solve or moderate the problems.

The Protocol consists of principles and tasks that guide Child Protection Worker, case management practice involving information gathering and storing as well as establishing relations with other actors.

Appendices consist of; summary of the CPW ethical principles, domestic legal basis on issues related to children compared to the UN Convention on Child Rights, identified risk factors, the forms of a folder, an illustrating table with children development phases from 0-5 years old, etc as well as the glossary of definitions according to the terminology and concepts used in the Protocol.

Abbreviations used

CPW	Child	Protection Worker
CPPP	Child Protection	Policies and Procedures

CHAPTER 1

CHILD ABUSE AND VIOLENCE UNDERSTANDING VIOLENCE

1.1 Violence against children in Albania and its forms

All indicators suggest that abuse and violence against children in Albania is at the same level as in other societies and it is worth mentioning the fact that this violence is now more widely reported than before, when the phenomenon was not well known, the law, strategy, experience etc. were lacking.

In a global context, violence is defined as the deliberate use of physical force or power, threat or its real use against oneself or another individual or against a group or community, which causes or might cause injury, death, psychological harm, mal-development or deprivation.

The following definition of violence was given in 1999 by the World Health Organization:

“Child abuse or maltreatment constitutes 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.”

Forms of violence against children are:

1. physical
2. emotional/psychological
3. sexual

According to the “Violence Against Children in Albania Study” undertaken in 2005, the use of physical violence against children is widely practiced in family homes, schools and children’s institutions.¹

Children reported the main forms of **physical violence** as being the following:

- Pulling the ear;
- Pinching;
- Hitting with an object;
- Smacking with an open hand on the body and on the head;
- Pulling the hair;
- Forcibly pulling and pushing;
- Kicking.

¹ Study report by DHC, UNICEF 2006, page 26

The statistics, resulting from this study, on other forms in addition to these typical forms of violence against children are as follows:

- 7.6 % of the children also reported having been punched in the head,
- 20.5 % having been punched elsewhere on the body during the previous year within their homes.
- 2.2 % reported having been grabbed by the throat and
- 19.9% having been bit by family members.

The level of physical violence is not only high in families, but in schools a similar level of reported violence was recorded.

- 10% of children reported being punched in the head
- 19.6 % punched elsewhere on their bodies and
- 9.6% being grabbed around the throat

The physical consequences of this level of daily violence included:

- 27.7% of children left with bruises;
- 24.5% reported bleeding;
- 21.9% dizziness and
- 7.8% reported losing consciousness as a result of violence within the home.

Similarly, **psychological violence** was reported in school, the main form being shouting, verbal threats, name-calling and use of derogative nicknames and threatening physical violence. Both children and adults alike appear to accept the forms and level of violence as they relate it to the discipline and education of children.

As a result of Albania’s unequal economic distribution and weak law and order structures, children and young people have been increasingly exposed to violence (*INSTAT, 2003b:9*). Children are both victims and perpetrators of violence.

Examples of abusive practices:

Shouting at a child	Unfairly criticizing a child
Treating a child with contempt	Hitting, punching, slapping or strangling a child to discipline him/her
Expecting sexual favors	Ignoring a child
Manipulating a child	Sending a child to work
Not sending girls to school	Forcing a child to marry
Leaving a child unsupervised	Sexually abusing a child
Ignoring a disabled child	Marrying a child
Sending children to beg	Laughing and making fun of a child
Calling a child names	Pulling a child’s hair or ear
Austerity	Inappropriate control
Neglect	Terrifying a child
Isolation	Refusal

1.1.1 Disabled Children and Abuse

Disability in children can make them more vulnerable to child abuse. What might be considered harmful or abusive treatment of a non-disabled child is sometimes seen as acceptable for a disabled child. For disabled children indicators of abuse may be masked or confused by their disability and people are inclined to believe:

Injuries are self-inflicted

Behavior is symptomatic of the disability

A disabled child's allegation is false because they do not know what they are talking about

They have to treat the child in that way for his/her own good, e.g. tying or chaining up, not feeding, locking up, not dressing, etc.

In discussing safeguarding of disabled children it is essential to consider not only **personal attitudes and values** but also the **social context** that children are living in, what are the **community attitudes** towards disability.

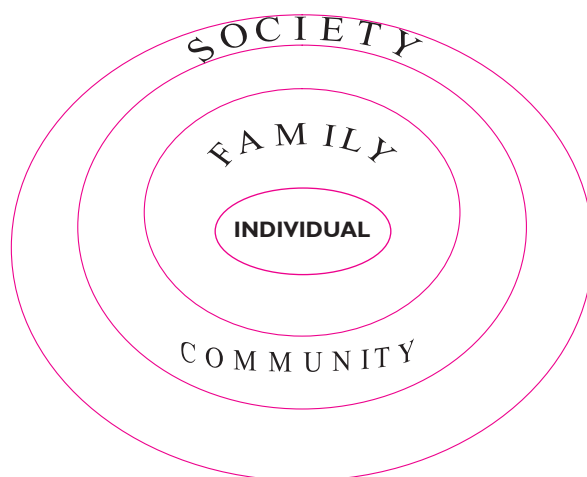
It is therefore important to recognize that disabled children can be abused and harmed, and the effects of abuse may be more dangerous, e.g. *not feeding a child who cannot feed himself will ultimately lead to his/her death*. The protection of disabled children may need extra thought and attention especially when a community or society does not recognize the human rights of disabled children.

1.1.2 Child abuse within a societal context

Child abuse is a general term used to describe situations where a child may experience harm, usually as a result of a general failure on behalf of a parent or a care-giver to ensure a reasonable standard of care and protection.

To be clearly understood child abuse is broken down² into four levels:

- a) individual,
- b) family,
- c) community and
- d) broader societal and cultural values.



² Adapted from Report of the Consultation on Child Abuse Prevention. WHO, 1999

a) Individual Level

Traumatic experiences in childhood or mental problems untreated in parents or care-givers can impact on their own ability to meet their children's needs and respect their rights, as a result a parent abused in childhood is more likely to become a parent who abuses his/her child.

A father was exercising violence on his children without any reason. After being diagnosed, it resulted that the father had suffered depression after his mother had passed away when he was young. No one looked after him during the depression and he never took any pills. Thus, depression was chronic and he was exercising violence on his children...

b) Family Level

Many elements of family interactions, conflicts and tensions can contribute to the abuse of children. High levels of stress, substance abuse, domestic violence and mental health problems are examples of stress factors that may increase the risk of abuse if there is a lack of protective factors to counterbalance the risk and promote positive family interaction. Rigid gender roles, including definitions of masculinity linked to dominance and hierarchy are highly related to violence against women and children.

Anila was only 13 when her parents separated. The mom left the children with their alcoholic and unemployed father. Anila started to look after her two younger brothers and their father forced them to abandon school and beg on the streets....

c) Community/Societal level

Another factor that affects physical, psychological as well as sexual and commercial exploitation of children is the perception of children as a possession, since it makes abuse and exploitation more acceptable.

The widespread use of severe physical punishment and accepted high levels of community violence are correlated to higher abuse levels. Poverty, linked with community attitudes to children, the availability of arms, conflicts have been shown to place children not surprisingly at much greater risk.

When Era was 14 years old she was not allowed to go to school as in the village where she used to live girls were not generally allowed to go to high school. That was what her father did although Era was a very good student and wanted to continue further her education.

In less than a year Era left school, matchmaking engagement was organized for her and after a wedding without a ceremony, they left for Italy for a better life... Era could tell her story of trafficking only years later...

1.1.3 Cultural Values

Whilst there are some common factors such as poor social economic status, violence in home, substance abuse, which increase the risk of a child being abused, some of the most powerful are specific to the culture and society in which a family lives. Therefore, in defining and measuring the problem, the assessment of risk factors and the weight they carry in each culture is of prime importance.

Therefore, it is important to determine what are the culturally accepted child rearing practices and attitudes to gender within Albania. This is not to lower the thresholds of concern or condone abuse but more to understand the environment in which it is taking place and the community attitude to it. Community attitude may be used as a topic or to raise the awareness of the community against different types of abuse against children.

1.1.4 Understanding gender, sex and gender discrimination

Gender is an individual's feeling of both being female or male and performing social roles pertaining to that gender. Gender roles can be performed by either sex as normally accepted within a given culture, society or community. Gender therefore is a socially constructed or developed status that can change within societies and over time.

We can understand **sex** as the anatomical/biological being or construction of being a man or woman, boy or girl. For instance, we recognize a boy or girl-child at birth when we look at his/her genitals.

Gender knowledge is important as it affects our everyday activities and well-being. The roles that men and women perform are mainly affected by their gender. Therefore, the facts that they are male or female determine what is acceptable within specific societies at given times for them to do and are involved in on a day to day basis.

For instance, in Albania, it is currently accepted that housework and care of young children is the 'normal' role of women and that it is not usual for a man to bathe his baby son.

Discrimination is an obvious different and less favorable treatment of people due to race, class, sex or their cultural status.

From a child protection perspective discrimination against girls can be evident in education (the removal of girls from school at a younger age or the early marriage of girls under the age of 18 years old), whereas discrimination against boys is evident when they are held responsible unsuitably to their age and development.

1.2 Forms and types of abuse, neglect, exploitation and trafficking in children

Abuse, neglect, exploitation or trafficking is evident in six main categories that may put children from 0-18 years old at risk:

1. physical abuse
2. sexual abuse
3. psychological/emotional abuse
4. neglect
5. exploitation
6. trafficking

Some may be more prevalent than others in different locations within Albania, but a Child Protection Worker needs to be aware that a child may be subjected to one or several types of harm and not make conclusions without assessing the whole situation of the child.

A Child Protection Worker can see many examples of child abuse, neglect and exploitation every day in Albania, but not all will become an active child protection case on which they will work. It is therefore necessary that he/she has a clear understanding about the situations in which it might be necessary to intervene as part of his/her responsibilities.

1.2.1 Types of Abuse and Possible Indicators

Possible indicators are the signs, symptoms, forms of behaviors that may alert an adult or a CPW that a

child may be experiencing neglect, abuse, exploitation or is worried about his/her situation.

Many of the signs or behaviors can be attributed to many ordinary and non-abusive situations that affect a child and therefore the CPW must be very careful not to make unsubstantiated assumptions about the cause of the child's injuries or behavior. Indicators do not prove whether a child has been abused or not.

Indicators with additional information, which may include an allegation by a child or another adult, would lead the CPW to undertake an Initial Assessment.

Indicators can be noticed in the physical, emotional, sexual, social or intellectual behavior or development of a child and in the actions of the child's caretakers or other significant adults within the child's environment. The interaction between a child and his/her care-givers can also be an indication that the child is at risk of harm, exploitation or trafficking.

1.2.2 Physical Abuse

Physical abuse shall be considered any action or inaction resulting in the non-accidental trauma, harm or injury of the child. Physical abuse can include poisoning, suffocation or the withholding of medical treatment of a child etc.

I. Forms

Some of the forms of physical abuse include:

- Punching;
- Kicking;
- Hitting, slapping or beating with or without an instrument;
- Pinching;
- Burning;
- Cutting;
- Shaking;
- Throttling or strangulation;
- Knifing;
- Shooting;
- Killing;

II. Indicators

Indicators of physical abuse:

- Broken bones, fractures;
- Bruises;
- Abrasions, lacerations or tears;
- Burns;
- Marks that leave a shape of an instrument or fingers on the skin;
- Unexplained bleeding or sickness;
- Physical deformities;
- Unconsciousness.

III. Signs

Some of the potential signs in child behavior as a result of physical violence are:

- feeling depressed, withdrawn or in a depressive mood;
- not sleeping calmly, disturbed;
- being aggressive;

- showing fear to some adults or adults in general;
- showing fear when the parent/carer is returning home or when the child goes home or showing fear when contacting the parent/carer or a family member;
- lack of trust for adults or a low self esteem;
- use of drugs and alcohol;
- leaving or abandoning home etc.

Children that frequently have bruises or marks on their bodies that cannot be explained by normal children's play activities or by accidental knocks, such as on the face or ears, could be subject to physical abuse.³

1.2.3 Sexual Abuse

Sexual abuse is considered any activity or exploitation of the child for sexual purposes and pleasure of the abuser.

I. Actions

Sexual Abuse can include any of the following:

- Sexual intercourse or penetration with an object;
- Masturbation of an adult when a child is present;
- Rape;
- Oral sex;
- Child pornography;
- Making a child watch or be part of any sexual activity;
- Watching or made to look at sexually explicit materials or pornography;
- Making a child have sexual contact with another child.
- Touching child's genitals
- Showing adult's genitals to a child
- Making a child touch adult's genitals
- Exhibitionism

II. Signs

³ Refer to Chapter 12, Appendix 12 for the Map of physical injury

Some physical indicators of sexual abuse are:

- Pain, rash, bleeding, bruises to the genital area;
- Genital secretions or urine infections
- Abdominal pain or difficulty in walking or standing
- Pregnancy
- Sexually transmitted diseases

Some of the possible indicators of a sexually abused child are:

- An obvious change in child's behavior
- Sexual language or actions that are not suitable to child's age;
- Overtly sexualized behavior of the child towards other children or adults;
- Inappropriate touching of the genital areas of other children or adults;
- Sexualized play or drawings;
- The child confess that an adult shows special interest for him, or tells about a "secret" friendship with an adult or a youngster;
- Calmness or retreats into an unusual seclusion
- Abnormal aggressivity;
- Showing sudden fear or distrust to a special adult.

1.2.4 Child Neglect

Neglect is the chronic and serious lack of care and attention by the parent(s) or caretakers to the needs of a child, which results in physical and/or emotional harm of the child. In the case of neglect, a child is deprived of food, hygiene, education, health care, protection against harm etc.

Examples of this would be a young child playing unsupervised by a road that has fast moving traffic or a child playing by a fast flowing river with no supervision.

I. Indicators

Possible indicators of a neglected child are:

- Child's clothing is inappropriate with the season or weather (this might have caused cold symptoms, coughing, pneumonia, sunburn, frostbite, frost injury etc);
- Personal hygiene is not at a desirable level (long dirty nails, body odor, dirty and uncombed hair, head and body parasites);

- Inappropriately supervised or is left under the supervision of an unsuitable person
- Ailments showing that the child has not been treated by a doctor or with medicines;
- Malnutrition (the child is under weight and not the proper development according to the age, difficulties in swallowing, always tired and exhausted, the body has lost its childlike tone etc);
- Delays or not attending school

1.2.5 Psychological/Emotional Abuse

Psychological abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can reach his/her full potential in the context of the society in which the child lives.

Psychological abuse may also include acts towards the child that cause or have a high probability to cause harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person who has custody or a relationship with the child.

Psychological abuse can include: restriction of movement, degrading, humiliating, scape-goating, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment. (WHO, 1999)

I. Forms

Forms of Psychological Abuse:

- **Avoidance:** the child avoids or withdraws from contact with his/her parents; they make him/her feel worthless unacceptable;
- **Degraded:** the child is criticized, stigmatized, humiliated and deprived of his own dignity;
- **Threatened:** the child is verbally attacked, terrorized or threatened with physical and/or psychological harm;
- **Isolated/restricted** - the child is deprived of social contacts outside of the family; he/she is not allowed to have friends, is kept in a limited space for long time periods without social interaction;
- **Anti-social behavior** - the child is taught how to behave in an anti-social way and encouraged to develop unacceptable attributes within society;
- **Exploitation** - the child is exploited and used to satisfy the needs of his/her caretakers;
- **Denial of essential nurture and care** - lack or withdrawal of emotional response or availability by the parent to the child; the child is deprived of basic care in general and is ignored and/or neglected;
- **Poor and inconsistent parenting** - the child gets ambivalent and contradictory requests, demands or his/her needs met; parenting is inconsistent and not reliable and the child is unable to rely on the level of care, nurture and security within the family.

II. Indicators

Some indicators of psychological/emotional abuse are:

- Late physical, mental and emotional development;
- A constant state of distress
- Sudden difficulty in speaking
- Delay in speaking or expressing a thought

- Low self-esteem
- Emotional response inappropriate to the situation
- Extreme aggressivity or passivity
- Leaving or constant home abandonment
- Lack of desire to do different activities
- Crying without an obvious reason

1.2.6 Exploitation

This is the use of a child in work or other activities for the benefit of others. This can include:

- sexual exploitation;**
- labor of any kind, not in compliance with the respective legal definitions and by-laws, as well as working in the field;**
- begging;**
- gathering recyclable objects and/or selling on the streets.**

These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development.⁴

1.2.7 Sexual Exploitation

This is the abuse of a position of vulnerability, differential power or trust or other activities for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another. Child prostitution and trafficking of children for sexual abuse and exploitation, and pornography are examples.

1.2.8 Trafficking

Child trafficking foreseen in article 128/b includes the recruitment, transportation, sheltering or taking a child for sexual exploitation, work, or obliged services, enslaving or other similar forms, organ transplant and other similar forms.

Children who are trafficked may have been “willingly” given by their parents or a member of their family to a trusted adult or person promising to find the child work or better education and therefore improve the income of the family.

Children who are trafficked are at risk of many forms of abuse including: sexual abuse, physical abuse, hard labour, emotional abuse, torture, denial of all of their rights, lack of education or medical care and being isolated or locked in a property.

Forms of trafficking may include:

- forced begging;
- domestic work, and/or hard labour;
- slavery;
- sexual exploitation;
- prostitution;
- pornography.

⁴ (WHO, 1999)

Presumed victim of trafficking – the child is being exploited or there are reasonable doubts, which indicate that exploitation has occurred after the child has been moved or transferred. Exploitation among others includes sexual and labour exploitation. With regard to children exploited for work (including labour) evidence of exploitation is enough to consider the case as a presumed trafficking case, without evidence that exploitation is based on forced labour. (Once more child consent is disregarded)

Person at risk of trafficking – individuals under the pressure of a trafficker, when pressure is exerted directly to the person concerned or indirectly through a family member; or/and have been trafficked and have faced great difficulties in re-integration, as well as any other person under serious exploitation, although there is no doubt for the presence of other criminal elements (lack of consent and movement for adults, only movements for children).

1.2.8/a Push / pull factors

Children at risk of trafficking are in alignment with the well –known push/pull factors, combined with the phenomenon of illegal migration.

Reasons that make people move from one area to another are known as push factors such as high rates of unemployment, gender discrimination in labour market, the latter is not opened to females, poverty, lack of opportunities to improve life's quality, ethnic or sexual discrimination, persecution to flee, violence, abuse or violation of human or other social and situational rights.

The most frequent push factors in child trafficking include:

- poverty
- high unemployment rate
- high level of illiteracy
- internal migration, and internal movement
- collapse of the state social protection system
- increase of unequal distribution of income
- family problems
- lack of family support
- opening of borders
- discrimination
- information and communication technology
- child motivation
- violence
- disruption of traditional family and community relations
- absence of law and order
- corruption
- legal gaps

On the other hand the reasons why people are attracted to a special area are referred to as pull factors (the demand for workers in sex industry, demand by a number of rich clients looking for sex market, better employment opportunities, higher salaries and better working conditions or a better life quality and improved standards).

Trafficking in children is also done in order to use them to beg, prostitution, thefts, and other street crimes or clandestine issues such as illegal adoption.

1.2.8/b Consequences on children, victims of trafficking

Children who are victims of trafficking suffer double consequences, which affect their current and future behavior and their life in general, negatively. Some of the main consequences are:

1. Effects on physical health

- various health problems
- different diseases
- malnutrition
- pregnancy
- sexually transmitted diseases, such as HIV/AIDS.

2. Effects on mental and psychological health

- Personality disorders
- Suicide, self-destructive behavior
- disorders of post-traumatic stress
- abuse, drugs and alcohol dependence
- fear, anxiety
- guilt, shame
- low self-esteem
- feeling different and excluded
- isolation
- lack of security
- lack of control
- incapable to believe to others
- vulnerability
- hyperactive behavior
- aggressiveness
- anti-social behavior

3. Social effects

- stigmatization
- marginalization
- criminality
- breaking social relations
- family separation
- school abandonment

- difficulty in re-entering the education system

1.2.8/c Understanding the recovery ability

Taking under consideration a child who is a trafficking victim, is mainly a legal concept. The psychosocial dimension of the phenomenon should include what the child is capable of doing or contributing in decisions related to his/her movements, activities and projects (even in cases of deception or any other coercive form).

The child usually develops ways of dealing with the exploitation situation. This phenomenon is called recovery ability: the ability to recover immediately after an illness, depression, adversity, etc. (e.g. if a child begs for 12-16 hours every day, his motivation will be to earn money in order to help his mom pay the rent).

There are no children volunteering to be involved in the trafficking process.

1.2.9 Indicators of Children and Families at High Risk of Child Abuse or Neglect

A range of individual, interpersonal, community and social elements contribute to child maltreatment, neglect or exploitation. Children are not responsible for the harm that may be caused to them. Children are vulnerable due to their age, lack of power, limited status, gender, lack of a voice and the trust they give to adults to care for them. Children with disabilities are more likely to be the subject of abuse or the denial of their rights than a child without a disability.

The following are possible indicators that guide and help in the assessment that in this family there is higher risk of a child being harmed or neglected than in another family⁵:

- social isolation of the family;
- lack of understanding of the development needs of a child;
- physical or mental disabilities of the child;
- parental history of abuse;
- lack of cohesion or dysfunctional relationships within the family;
- substance/alcohol abuse by the parents or carers;
- young parents;
- single parents/carer;
- poor relationship between the parent(s) and child;
- negative views of the child, scape-goating;
- high stress levels of the adults;
- mental health illness of the parents including depression;
- high levels of violence in the community;
- poverty and other socio-economic disadvantages, such as unemployment.

⁵ (Please refer to Appendix 13 for types of indicators and behaviours that may indicate a child is being abused, neglected or harmed.)

CHAPTER 2

ETHICS, PRINCIPLES, ROLE AND TASKS OF THE CHILD PROTECTION WORKER

What is Code of Ethics?

Many professions have a Code of Ethics that all members of the profession follow and adhere to within their work and personal lives. Defining the rules that these professions should apply in a Code of Ethics, assists in defining the role and the credibility of the profession and the job they undertake.

Social Work and Child Protection are new professions within Albania and will need to develop their own principles and ethics over time.⁶

2.1 Basic Principles, which will guide the Child Protection Worker in his/her work:

- **Best Interest of the child.** All decisions will be made with the best interest of the child as the primary consideration.
- **Confidentiality.** All information given to the Child Protection Worker will be used only to determine the needs of the child and to protect him/her from harm, exploitation and/or neglect. Measures must be taken to protect child privacy and identity; furthermore, records made on each child will be stored within the Child Protection Unit and will not be accessible to the public or other organizations not directly involved in the protection of the child. Limited information sharing between partner organizations and relevant professionals to protect the child will enable an improved protection plan to be developed. Information should be shared with specialists of public and private social care institutions, judges or employees from the administrative authorities etc, who have a direct role on child protection.
- **Respecting and promoting a child's right to protection, care and to be listened to.** The activities of the Child Protection Worker, local government employees and other professionals will uphold a child's rights in accordance with the UN Convention on the Rights of the Child and those laid down in Albanian Legislation. Each child will be treated with respect in regard of his/her individual developmental and protection needs or rights. The child who is capable of having his/her viewpoints on issues and decisions regarding him/her has the right to express them freely.
- **Easy accessibility to the child protection services.** The Child Protection Worker will ensure that child's interests are taken into consideration in each case, as well as will facilitate the process of providing assistance and protection to the child in need. A lack of documentation

⁶ Please refer to Appendix I for further information.

pertaining to the child or family will not be a determining factor in urgent cases of a child at risk or in need of protection.

- **Equal opportunity or treatment.** All children will receive equal provision of services or assistance and will not be discriminated against on the grounds of status, ethnicity, gender, faith, age, location or ability.
- **Eligibility to services.** Any service provided by the Child Protection Unit will have clearly stated eligibility criteria. If a service is not provided to a child, the reasons will be provided to the child and his/her family. The child or his/her representative will have the right to appeal the decision within a designated period to the appropriate authority.
- **Partnership and collaboration.** The Child Protection Worker is responsible for the coordination and partnering of public and non-public child protection, health and education service providers which work together to protect the welfare and rights of a child and his/her family in order to ensure the overall development and rights of the child.
- **Ensure independence, social integration and participation in community life.** The Child Protection Worker, together with the partner service providers, will ensure that the Individual Child Protection Plan for the child promotes the family's ability to care appropriately for the child, develop his/her independence and encourages social integration and participation in the community.

2.2 Role of the Child Protection Worker

2.2.1 Child Protection

The Child Protection Worker is the person employed by the local government authorities in Albania to protect and promote a child's rights to protection from harm or abuse, neglect or exploitation and to ensure a child is enabled to develop to his/her full potential. To be able to do this the Child Protection Worker will need to listen to a child's wishes and opinions and ensure the child is able to participate in decisions made about him or her.

2.2.2 Assessment

Assessment is the process of analyzing the information about the child in order to see if the child needs protection, is at risk of harm, or needs assistance to fulfill his/her needs of development. The data about the family, education, health, living conditions, environment, community, etc comprise the information used during the assessment.⁷

The Child Protection Worker will take the responsibility for gathering information about a child's health, education, and family, stage of development, living environment, concerns regarding his/her welfare and/or protection and community.

Information sources are the family, the child, the school, health specialists and other specialists involved in the child's life. In the end of the process, the worker compiles a detailed report on the assessment of the child. Taking these findings into account and in discussion with the child, the family and essential specialists, an Individual Child Protection Plan of support services and interventions is going to be developed (in a Child Protection Meeting) if the child is deemed to be at risk and in need of child protection services.

⁷ For more information refer to Appendix 7 and 10

2.2.3 Sharing of Essential Information

The Child Protection Worker will exchange (*essential*) information only with other professionals who are involved with the child or have a duty or responsibility to protect children⁸.

It is anticipated that some of the most crucial professionals to be involved in child protection matters will be; **social administrators in the municipalities or communes, school psychologists, teachers, kindergarten staff, family doctor, anti-trafficking and public order police, social workers of public and private centers and employees of non-governmental organizations** providing services to children and families.

The decision to share confidential information must be discussed with the child (if developmentally able to give consent) and his/her parents or caregivers. In situations where a child is at immediate risk of harm then the Child Protection Worker can share information with professional(s) who is/are able to provide immediate protection for the child, e.g. the police, judge.

2.2.4 Coordination and Monitoring

An important role for the Child Protection Worker will be to coordinate and monitor the delivery of services as agreed within the Individual Child Protection Plan. These could include; local healthcare, education structures, school psychologist, day or residential centers, assisting the child and his/her family.

2.2.5 Working in Partnership

The Child Protection Worker will work in partnership and cooperation with specialists and/or organizations dealing with child's rights protection and have an interest in the child's welfare or development. This form of cooperation is formally known as "*multi-disciplinary*" and is widely acknowledged as the most appropriate form of support and assistance to any child who requires child protection services. The child and his or her family are an integral part of the multi-disciplinary approach and should be encouraged to actively participate in the process.

2.3 Main Duties of a Child Protection Worker

A Child Protection Worker in the local government unit has the following duties:

- *identifies children in need*
- *undertakes the initial assessment of all children referred to the Child Protection Unit;*
- *draw the individual plan of the child under protection;*
- *coordinates and arranges the Child Protection Meeting to discuss individual children assessed as being at risk of abuse or subject of abuse, harm, neglect, trafficking or exploitation;*
- *manages the case by proposing interventions to improve the situation of the child in need of child protection services;*
- *oversees the implementation of the child's Individual Child Protection Plan;*
- *analyses the situation of children receiving services via an Individual Child Protection Plan;*
- *undertakes individual work with children and families;*
- *maintains accurate and factual records and open the files of all children referred to the Child Protection Unit and to children in receipt of child protection services;*
- *maps the situation of children, their rights, the service providers and needs of children within the geographic area in which they work;*
- *inputs data into the local government database and develops quarterly reports on the situation of children in the locality;*
- *actively promotes the rights of children through activities and public awareness*

⁸ Please refer to the section on Confidentiality, page 46

2.4 Qualifications of a Child Protection Worker

Due to the specific duties, role and responsibilities of a Child Protection Worker, it is essential that the person who fulfils this position must have a social work or psychologist's qualification and child protection training.

In addition to these basic educational requirements, the person should have the following skills and experience:

- a. At least 2 years practical experience of working with vulnerable or disadvantaged children;
- b. Experience of undertaking assessments of children and family situations and analyzing the information gathered;
- c. Understanding of the stages of child development and how this affects skills, capacity and behavior;⁹
- d. Ability to speak and interact with children that empowers them to talk about their family, school, living situation and any issue that concern them;
- e. Ability to actively listen to a child or other persons' points of view;
- f. Advocate on behalf of a child;
- g. Ability to deal with conflicts within families and in society;
- h. Desire to change inequalities within society;
- i. Committed to child, gender, minorities and disability rights;
- m. Knowledgeable on the UN Convention on the Rights of a Child and other child protection legislation within Albania;
- n. Excellent computer skills including Microsoft Word, Excel, Access;
- nj. High level of note-taking, accurate and factual (written) information and ability to summarize and present concisely information pertaining to a child's situation;
- o. Experience of liaising with and working with local government representatives, civil society and other professionals;
- p. Self motivated individual who can undertake tasks in a timely manner without constant supervision or instruction;
- q. Desire to improve practical and theoretical social work and child protection knowledge and committed to future training and development.

2.5 Developing the Abilities and Skills of the Child Protection Workers through Professional Supervision¹⁰

To exercise their authority and duties, the Child Protection Worker should have some skills that will assist their practice and competence. If the Child Protection Worker does not feel competent in any of these skills then it would be advisable for him/her to be given additional training to develop his/her approaches.

I. Communication Skills

- a) Interpersonal communication with clients, children, colleagues and other professionals; needs to be clear, appropriate and non-confrontational or condescending to the client;
- b) Verbal and non-verbal communications skills are important so that the Child Protection Worker can clearly communicate and understand what is being said to him/her, can reflect on what is said and can read and interpret body language.

⁹ Please refer to Appendix 4 for the Stages of Infant Development

¹⁰ Adapted from materials written by Julia Watts and Jonathan Dickens

II. Assessment and Planning Skills

- a) Obtain and analyze information for an assessment;
- b) Establish clear plans and agreements based on the assessment;
- c) Regularly review and evaluate the progress on a child protection case.

III. Intervention Skills

- a) Undertake direct work with clients;
- b) Collaborate with colleagues and other professionals;
- c) Review and modify plans if/as necessary.

IV. Skills of Written Work

- a) Write clear case records;
- b) Write reports and letters skillfully.

V. Ability to Work as a Member of the Organization

- a) Knowledge and understanding of the organization's policies, procedures, objectives and tasks;
- b) Represent the organization in which they work;
- c) Ability to Work with Colleagues and Other Professionals;
- d) Develop and maintain effective working relationships;
- e) Share ideas and information.

VI. Self-Management Skills

- a) Organize own work and time;
- b) Self-aware and able to self-evaluate strengths and weaknesses and training needs.

VII. Use of Supervision

- a) Practical aspects (e.g. preparation, issues on cases, assistance to move plans and activities forward, concerns, punctuality);
- b) Openness to learning.

VIII. Professional Values and Attitudes

- a) Knowledge and understanding of social work ethics and principles;
- b) Commitment to continuous learning;
- c) Understanding and practice of confidentiality to all data.

IX. Ability to Relate Theory to Practice

- a) Know and understand theories and knowledge of social work relating to child protection;
- b) Use relevant theories and legislation to guide his/her practice.

2.6 Child Protection Workers as Change Makers

Many children do not experience their rights to develop their full potential due to unequal structures and policies within a country. **Gender** biases and discrimination on the basis of **ethnicity** are just two examples that are frequently cited within Albania.

The role of the Child Protection Worker is to ensure that all children are both protected from all forms of harm, abuse, neglect or exploitation and also that their developmental needs are met. In order for the Child Protection Worker to do this effectively it will often bring them into conflict with traditional beliefs and systems that they will be required to challenge in order for a child to have his/her needs or rights met.

Changes in policy or systems of child protection are not easily done; therefore, there is a need to ensure accurate information and statistics to support them. Part of this will be achieved by the data collected by each Child Protection Worker in his/her daily work and supported by the monthly and quarterly statistical reports. The collective data from all Child Protection Units over a period of time will lead to recurring issues that cannot be met by one person's actions alone and will require a change in policy or procedure.

In addition to the long-term changes and challenges, the Child Protection Worker will need to assist individual families and communities to look at commonly held beliefs that affect a child's rights or equal treatment.

Common practices related to early marriages within Roma families for girls, the early removal of girls from school at the onset of puberty and the requirement of boys to leave school to work to increase the family income or to illegally migrate overseas are some examples of where the Child Protection Worker will need to act as a change maker.

The Child Protection Worker will aim to:

- a. Ensure the fair and equitable distribution of resources to meet a child's basic needs, e.g. the right to education for Roma children;
- b. Offer fair access to public services and benefits;
- c. Recognize the rights and duties of individuals, families, groups and communities;
- d. Offer equal treatment and protection under the law.

The Child Protection Worker will have to promote the following in order to meet the needs of vulnerable groups of children and to provide protective environments for those children requiring them:

- a. The pursuit of social justice involves identifying attempts to improve the current situation and advocating strategies for overcoming structural disadvantage. Bring to the attention of those in power and the general public, and where appropriate challenge ways in which the policies or activities of government, organizations or society create or contribute to structural disadvantage, hardship and suffering, or militate against their relief;
- b. Use professional knowledge and experience to contribute to the development of social policy; e.g. information gathered within the areas on the types of services that are needed which would promote the development and welfare of vulnerable or disadvantaged children and the families;
- c. Promote social fairness and the equitable distribution of resources within his/her work, aiming to minimize barriers and expand choice and potential for all service users, especially those who are disadvantaged, vulnerable or oppressed, or who have exceptional needs;
- d. Seek to change social structures which perpetuate inequalities and injustices, and whenever possible work to eliminate all violations of human rights;
- e. Promote policies, practices and social conditions which uphold human rights, and which seek to ensure access, equity and participation for all;
- f. Uphold not only civil and political but also economic, social and cultural rights;
- g. Ensure that they do not act out of prejudice against any person or group, on any grounds, including origin, ethnicity, class, status, sex, sexual orientation, age, disability, beliefs or contribution to society; e.g. do not accept lower standards of care or protection for children who live in the country as opposed to those living in cities. All rights are equal to all children;
- h. Challenge the abuse of power for suppression and for excluding people from decisions which affect them; e.g. ensure that children and parents are involved in the decision-making process within Child Protection Meetings;

- i. Support anti-oppressive and empowering policies and practices, and aim to assist individuals, families, groups and communities in the pursuit and achievement of equitable access to social, economic and political resources e.g. empower and promote the right for children with disabilities and children from ethnic minority groups to have equal access and support in education;
- j. Recognize and respect ethnic and cultural identity and diversity, and the further diversity within ethnic and cultural groups; promote policies, procedures and practices consistent with this objective;
- k. Promote public participation in societal processes and decisions and in the development and implementation of social policies and services.

2.7 Training and Development of Child Protection Workers

All Child Protection Workers will require regular training to develop their skills and to update their theoretical knowledge and understanding of new research into areas of child development, social work, child protection and methods of working with children and families.

At the national level, there is a requirement to develop a national plan of training to cover all the basic skills and knowledge that is required by all Child Protection Workers to be able to practice competently. To develop the training plan would require the collaboration and partnerships of central and local government, the universities, which provide social work, psychology, law and child protection courses and non-governmental organizations working in the field of child rights, child protection, child welfare and legal assistance to minors. With a joint and holistic approach, the development of a national training plan for all Child Protection Workers would enhance the capacity and skills and level of child protection within Albania.

Personal development within social work and child protection should be a requirement of all Child Protection Workers and a proportion of their weekly working hours will be allowed for research and reading as a means of improving their practice.

CHAPTER 3

LEGAL BASIS FOR THE CHILD PROTECTION SERVICES

3.1 The Law in relation to Child Protection

Presently, Albania lacks a systematic national judicial system for Youth, however, in the context of judicial system reform, the Albanian government is assessing and studying the possibility of developing such a system.

Children who are in contact with the law or victims of trafficking are also in need of protection and their rights should be respected.

UN Convention on the Rights of the Child, article 37 “Detention and punishment” highlights that “No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. In particular, every child deprived of liberty shall be separated from adults and shall have the right to maintain contact with his or her family; neither capital punishment nor life imprisonment without possibility of release shall be imposed.”

Article 40 “Justice for youth” states “Every child accused of having infringed the law shall have the right to legal assistance and fair treatment within a judicial system respecting their rights. State parties shall establish a minimum age below which children shall be presumed not to have the capacity to infringe the penal law and shall have at least the guarantee to a fair judicial treatment, or other alternatives with no delay.”

Article 40 point I, states “the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child’s sense of dignity and worth, which reinforces the child’s respect for the human rights and fundamental freedoms of others and which takes into account the child’s age and the desirability of promoting the child’s reintegration and the child’s assuming a constructive role in society.”

In order for the above-mentioned rights extracted from the UN Convention on the Rights of the Child to be respected, children need not only the assistance of trained and competent lawyers, who are in knowledge of the child rights and Justice for Youth, but also Child Protection Workers, who can guarantee that every child has information on his/heir rights, to a prompt, fair, and equal treatment, to proper care and education according to his/heir age and his/her needs, and regular access to his/her family members. Part of the children protection process is the right of the child to information, and that his/her opinions and desires on decisions relating to his/her situation are taken into consideration.

3.2 Legal Basis for Child Protection Services

The legal basis¹¹ with regard to the services for the protection of children foreseen in the Albanian legislation is as follows:

- The Constitution of the Republic of Albania - Article 54, points 1 and 3 states:

“1. Children, young people, pregnant mothers and new mothers are entitled to special protection from the state;
“3. Any child is entitled to be protected from violence, maltreatment, exploitation and labour, especially child labour under the minimum age, which can lead to health and moral problems or put in danger the life and normal development of the child.
- United Nations Convention on the Rights of the Child ¹²
- Family Code of the Republic of Albania.
- The Criminal Procedure Code of the Republic of Albania
- Law No.9355 dated 10.03.2005 “On Social Aid and Services” (amended), Article 1, 2, 3, 4, 29, 31 and Article 42.
- Law No 9669 dated 18.12.2006 “On the Measures Against Violence in Family Relations”
- Decision of Council of Ministers, no 80 dated 20.01.2008 “On the adoption of Sectoral Strategy on Social Protection”;
- Decision of Council of Ministers, no. 658 dated 17.10.2005 “On Social Services Standards”;

3.3 Area of Jurisdiction

The Child Protection Worker is responsible for all children in need of child protection services who are permanently resident or temporarily resident or found within the geographical area covered by the municipality or commune.

The child may be identified as living or working on the street, as at risk of abuse within the family, at school, a childcare institution or in any other situation.

The tasks of a Child Protection Worker are designated as objectives to accomplish the protection of children within the role and authority of local government, in the context of decentralizing social services, in compliance with Article 31, Law No. 9355 dated 10.03.2005 ‘On Social Aid and Services’, which defines the tasks of Social Administrators in municipalities or communes.

¹¹ See Appendix 2 for a summary of articles.

¹² See Appendix 2 for a summary of articles.

CHAPTER 4

WORK OF THE CHILD PROTECTION WORKER FOR THE PROTECTION OF CHILDREN IN THEIR IDENTIFICATION, DOCUMENTATION, CASE MANAGEMENT AND SOLUTION

4.1 Determining the Provision of Child Protection Services

The level and types of child protection services to be provided to a child will be decided on following an assessment undertaken by the Child Protection Worker and other essential persons within a Child Protection Meeting.

All assistance and services provided will aim to fulfill and respect the principles of the best interest of the child and to abide by the articles in the Albanian Constitution and the United Nations Convention on the Rights of the Child.

The standards defined in this Child Protection Workers' Protocol has been based on the United Nations Convention on the Rights of the Child and Albanian legislation that had been passed at the time the Protocol was devised, (2009). Child Protection Services will need to be redefined in line with changes to Albanian legislation and the development of services and provision for children as they occur.

Any service or assistance provided to a child and his/her family will be according to the level of risk, the type of risk and the child's individual situation at the time the decision is made to provide child protection services. All child protection services are time limited, will be subject to regular review, (at a minimum of every 3 months), and will be provided to reduce the level of risk to the child's health, development and need.

4.2 Beneficiaries of the Child Protection Services

Potential beneficiaries are all children from birth to the age of 18 years old living in Albania.

Potential recipients of Child Protection Services are children and services provided will be according to the needs and identified problems.

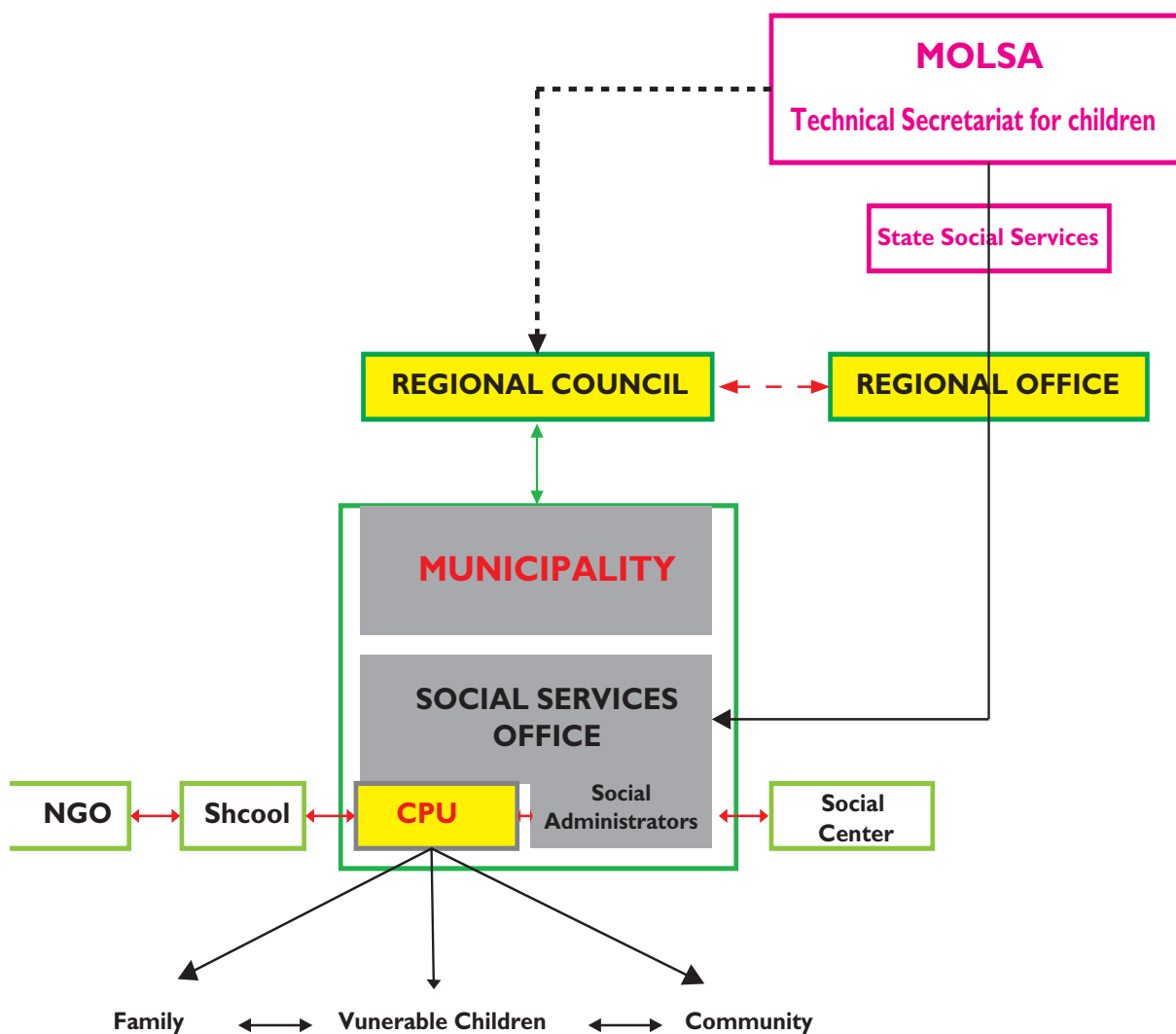
4.3 Child Protection Structures within Local Government

The Child Protection Unit at the local government level is a public social service provider for children who are permanent or temporary residents in the geographic area and the area under the jurisdiction of the administrative department, where the unit is located. Children who are referred to or come into contact with a Child Protection Worker might be assisted by the Child Protection Unit in which they are found rather than where they are deemed to be resident (*for example children who beg in Durrës but live in Kavaja might be assisted by the Child Protection Unit in Durrës.*)

The Child Protection Unit is an integral part of the Economic Aid and Social Care Department in each municipality or commune administration. The legislation that covers the service provision and legal duties and responsibilities of the Child Protection Unit are in compliance with Law No. 9355 dated 10.03.2005 «On Social Aid and Services», Article 31 (amended).

Within each Child Protection Unit, there will be at least one trained person employed as a Child Protection Worker and responsible for the coordination and management of all referrals and cases of children at risk of child abuse, harm, trafficking, exploitation or neglect.¹³

Fig. I CPU Child Protection Unit



¹³ See Figure 1; Municipality Structure

4.4 Identification of service providers

Children who are thought not to qualify for services of the Child Protection Unit may be referred to other organizations, if the child or family agrees.

Therefore, to assist the child and/or family better, it is necessary for the Child Protection Worker to get familiar with his/her area, in order to get to know all the organizations and local government departments providing services to the child and family. The list of Local Service Providers compiled by the Child Protection Unit Worker should be updated on a regular basis to keep the information correct and useful.

4.5 Mapping of the Local Services

The Child Protection Worker maintains direct links with and updates his/her knowledge of the service providers within the municipality or commune areas.

The Child Protection Worker, as part of his/her role, will undertake an initial mapping exercise of his/her locality be it the municipality or the commune for which he/she is responsible for. Mapping needs to include all service provision that relates to any area of a child's development or family welfare including; health providers, education, (including the addresses of schools with a Director's name and contact number and number of pupils), preschool education, parenting classes, economic aid, hospital services, special needs practitioners or providers, play resources, therapeutic providers, day centers, residential institutions, youth centers or leisure activities, police and emergency facilities, literacy classes and labour office or vocational training providers. The service providers can be public, private or non-profit.

In order to be effective, the devised "Local Directory of Service Providers" for use by the Child Protection Worker will need to be updated regularly so that the Child Protection Worker has easy access to good information to assist him/her in the work. A good "Local Directory of Service Providers" contains contacts details, types of services offered, criteria and procedures for applying for the service and application forms if required.

The Child Protection Worker can gather this information through different means either by visiting each organization or government department or contacting them by telephone or using other public information directories or lists.

Referring children and/or families to service providers is much easier and more efficient if the Child Protection Worker establishes links and contacts with service providers in the locality.

If a service or assistance is not available within the Child Protection Worker's area of responsibility then he/she will need to contact the Regional Social Services of the area in which the service is located. Links and support networks made with other Child Protection Workers in Albania can also be a good source of information as to other service providers available that can provide specialized or national services.¹⁴

CPW is responsible for the protection, service provision and case management of every child referred or identified by the Child Protection Unit by offering information, assistance and/or coordinated services to the child or his/her family or carer/s in partnership with other public or non-governmental organizations.

Child Protection Worker is controlled and guided in his/her activity by the Head of the Economic Aid and Social Services Department in municipality/commune.

¹⁴ Please refer to Chapter 12, Appendix 16 for a service provider information sheet

Case Management

Case Management is a system to manage the complexities and work of child protection. Within the case management structure, there are defined stages that need to be undertaken in each case of a child identified by or referred to the Child Protection Unit.

Following the basic steps ensures that each child is offered the same level of service and protection. The child risks not getting the necessary help if the approaches and processes of this assistance are not totally understood by the CPW and if during this process specialists and actors who operate in the child care and protection field are not included (multi-disciplinary approach).

4.6 The Stages of the Child Protection Case Management System are:

The stages of a case management system for the protection of children are as follows:

1. Case identification or referral of a child to the Child Protection Unit. A Referral/Identification Form is completed on the case of the child.¹⁵
2. The child is given an Identification Number for his/her file. This unique number will be only used for this child and will be used for any new referrals made regarding this child. Maintaining one Identification Number for a child's file(s) ensures that all information and documentation will be stored in one folder or identifiable computer file. The Front Sheet for the child's file is completed.¹⁶
3. Initial assessment of the child's situation; is there a potential risk to the child or not?
4. Decision on the immediate action to be taken;
5. Comprehensive assessment of the child's situation;
6. Child Protection Meeting; decision whether the child is at risk of abuse, neglect or exploitation;
7. Multi-disciplinary meetings for Child Protection;
8. Development and agreement on the Individual Child Protection Plan;
9. Implementation of the actions and intervention by the Child Protection Worker and other actors in accordance with the Individual Child Protection Plan;
10. Review Child Protection Meeting; at a minimum of one every three months; decision if the child is still at risk;
11. Development of revised Individual Child Protection Plan;
12. Implementation of the actions and intervention by the Child Protection Worker and other actors in accordance with the Individual Child Protection Plan;
13. Development of revised Individual Child Protection Plan unless the level of risk to the child has gone and the case can be closed;
14. Closure of the child's file once the child is no longer at risk, harm, or abuse.

4.7 Recording of the information

To ensure that the Case Management System works effectively all actions or decisions taken with regard to the child and/or members of the child's family is recorded onto each child's file, electronic or hard copy. For this purpose a Recording Sheet will be used by the Child Protection Worker.¹⁷

¹⁵ Please refer to Appendix 6;

¹⁶ Please refer to Appendix 5

¹⁷ Please refer to Appendix 11

The Recording Sheet is flexible and allows for short amounts of information to be recorded or longer reports of actions and interventions.

Types of information to be recorded onto the sheets include:

1. Telephone calls to professionals, NGOs, local government representatives, the child, the family etc;
2. Home visits: details would include the date and time of the visit; persons seen, purpose of the visit; contents of the discussions, observations of the Child Protection Worker; decisions or agreements made, (e.g. mother will take the child to the doctor for a check-up, child agrees to go to school each day in return for being allowed to play football every Saturday, Child Protection Worker will refer the father to the Labour Office) and date of next planned visit;
3. Actions and concluded work pertaining to the Individual Child Protection Plan;
4. Discussions or meetings with any professional, school teacher, kindergarten educator, NGO, social care, social worker;
5. Any referrals made to other organizations (a copy of the written referral will also be stored on the paper file).

4.8 Importance of Supervision for Child Protection Workers

It is important that each Child Protection Worker has regular, practical and theoretical support and advice from his/her manager. Social work and particularly child protection work is extremely stressful and psychologically draining. It is imperative that regular support is provided to each Child Protection Worker to ensure he/she does not become overwhelmed by the responsibilities he/she bears and in doing so becomes unable to manage the physical and/or emotional toll on his/her own health. Due to the confidential nature of child protection work, all Child Protection Workers must have a Supervisor who is easily accessible is able to provide time, support and understanding or who can locate a suitable professional who can be the 'listening ear' for the Child Protection Worker.

Regular support and/or advice from other Child Protection Workers can also relieve the stress and burdens of individual Child Protection Workers; therefore it is advisable to have more than one Child Protection Worker in each Child Protection Unit.

Support and advice can also be gained from belonging to a group or network of social workers or child protection workers. Within Albania, there is the National Association of Social Workers.¹⁸

Within the new Child Protection Units, Child Protection Workers are frequently working alone and it would be advisable to set up a communication and sharing network via the Internet where they could discuss case issues between themselves thus sharing experiences and receiving support from each other.

If possible meetings of all the Child Protection Workers should be organized at least 3 times a year where they can discuss particular issues that affect them all and cases that have demonstrated limitations or problems in the current laws, limitations of cooperation between other professional groups or issues of good practice. This experiential information should be collected and used to advocate for changes in legislation or practice that would benefit the best interest of the child and to develop a library of best Albanian practice for all personnel working in the field of child protection and for universities to incorporate into social work education.

Subscriptions to professional journals and networks will also develop the Child Protection Worker's ability to make use of the latest materials and good practices that are essential for his/her practice.

¹⁸ Further information can be found in Appendix I

4.9 Documentation and Children's Files

Each referred or identified child will have an individual file that will contain all the information that is gathered on him/her and the situation. This file is confidential to him/her, the Child Protection Worker, the Child Protection Worker's supervisor and the Child Protection Unit. Child Protection Files can be either electronic or a paper file. Whichever type of file is used it must be kept stored away either in a locked metal cabinet or on a password controlled computer folder.

Each child will have potentially two types of file, an electronic version, where the Child Protection Worker has access to a computer for his/her sole use and a paper copy of the file. All forms will be useable on a computer or completed by hand.

Each child's file will be divided into subsections to make it easier to find the pertinent documents. This is essential to good record keeping and also enables easy access to the most up to date information on the child. A file that is used for many years will hold an immense amount of data and it requires standardized format so that any Child Protection Worker can readily find information.

4.10 The content of Child Protection File and the Identification Number

The forms that must be in all children's files include the following:

1. Essential Information – top sheet;
2. Referral/Identification Form – completed;
3. Consent to Sharing Information Sheet – completed by child and/or parent or guardian;
4. Child Protection Worker's Assessment Report and Risk Indicator Form on the Child – completed by Child Protection Worker;
5. Minutes of Initial Child Protection Meeting with Individual Child Protection Plan for the Child;
6. Recording Sheets - all actions taken by the Child Protection Worker: to include information gathered during assessment; telephone calls made and their content; visit to the child and/or family members, relatives or other professionals – content of conversation and decisions or actions agreed at the time;
7. Review Child Protection Meeting Forms plus Revised Individual Child Protection Plan – *to be completed at least every three months*;
8. Copy of Child's Birth Certificate;
9. Child Protection Closing Report – *to be completed at the time a decision is taken to close the case as no risk to the child remains.*

Preferably, all forms and recordings should be completed on a computer as this makes the documents much easier to read and if copies of documents are required this is easily processed. Forms will only be completed once, not electronically and by hand as this is time consuming and not necessary for good record keeping. Using the computer will allow the Child Protection Worker to complete the forms fully as each section will extend as the information is typed into each section.

All information gathered through an assessment, through telephone conversations or direct face to face interventions must be recorded at the earliest time possible as this will ensure accuracy of the recording. This is imperative where the information could be used in a court of law or as evidence of the abuse, exploitation or trafficking of a child. All hand filled in forms will be completed in ink and not in pencil. Corrections will be struck out and the initials of the writer written alongside the deletion. No confidential information with identifying details must be sent via the Internet, as the potential for it to be accessed by others, than the intended user, is too great.

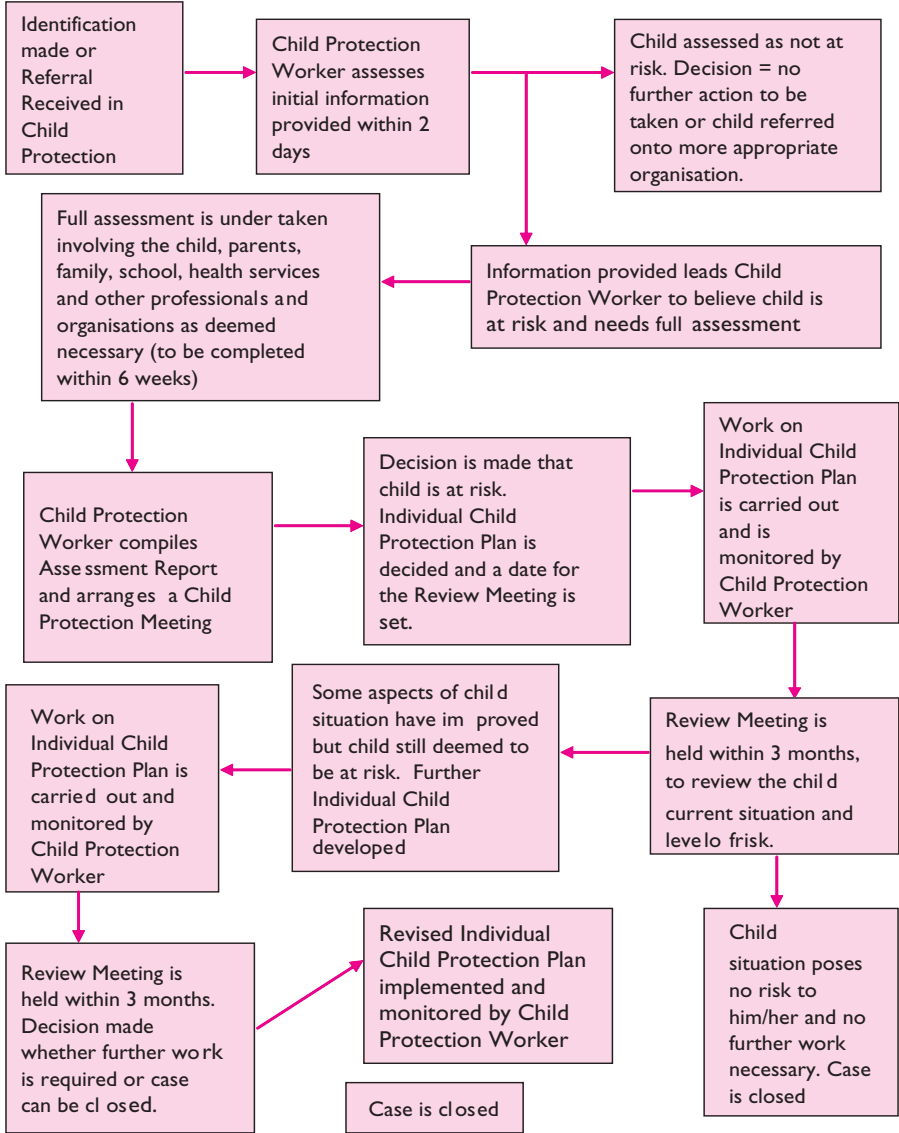
All Child Protection Files will have the same format and will contain a minimum of 8-9 mandatory forms.¹⁹

4.11 Inspections of Child Protection Files

In accordance to Albanian legislation, Law no 9355, dated 10.03.2005 “On social aid and services”, Decision of Council of Ministers no 658, dated 17.10.2005 “On Social Services Standards” and DCM no 512, dated 31.05.2006 “On procedures for the control of economic assistance, payment for the people with limited capabilities and social services”, files may be monitored and/or inspected by an inspector from the Regional State Social Services in a statutory audit or inspection of the level and quality of child protection services provided within any local government administrative area.

Inspectors undertaking an audit or inspection will require files and documents to be given to them to read. Following an inspection all documents will be returned to the relevant Child Protection Worker. The inspectors will compile a report for the Child Protection Unit with their recommendation and comments.

4.12 Flow Chart of Action To be Taken in Cases of Child Protection



¹⁹ Please refer to Appendix 5 for a list of the forms to be held in each child's file
²⁰ Please refer to Appendix 6 for Identification Form

4.13 Case identification and the Identification Number

A child may be identified or referred as being in need or at risk of abuse, abandonment, neglect, exploitation or trafficking by a number of means. The child may be identified or brought to the Child Protection Unit's notice by a member of the public, by another professional, by the child him/herself, a member of the child's family, neighbor, the police, a teacher or director of a school, a doctor, or staff at a polyclinic or hospital, NGO or the Child Protection Worker him/herself.

Once a child has been identified or referred and a concern is expressed about the child to the Child Protection Worker, then he/she will complete an Identification/Referral Form, and an Identification Number will be issued to this child.²⁰

Every child shall have a personal code to be automatically assigned by the database system when registering. The identification format is built in a way to indicate the Municipality/Commune of the area, where the child lives and its pertinent number.

For Municipalities;

E.g. if the code is 0001/No.1-DR/M for municipalities

Where: 0001 is the code of the file

No 1 is the number of the region

Dr – Durrës

M- Municipality

For Communes:

E.g. if the code is 0001/Balldre-Le/C

Where: 0001 is the code of the file

Balldre – is the commune name

Le- is Lezha city

C- Commune

The Identification Number is unique to this child and cannot be re-used for another. If there is more than one child in the family the files should be cross referenced on the computer or register, so that the Child Protection Worker bears in mind the family relationship in his/her work and planning. For instance, only one family assessment would need to be undertaken but copied onto each child's file.

4.14 Process of Referral

Any adult or child can refer a child/children to the Child Protection Unit for an assessment if the person identifying or referring the child, has concerns that a child is in need or at risk of any form of abuse, trafficking, exploitation, neglect or abandonment. The referral can be made in person, by visiting the Child Protection Unit, by telephone, by sending a letter to the Child Protection Unit or via another professional, organization or by the Child Protection Worker him/herself directly observing a child whose behavior is deemed to be putting him/her at risk.

The Child Protection Worker will, on receipt of the information, complete an Identification/Referral Form²¹. The Child Protection Worker will obtain as much information as possible at this initial stage to complete the form and to avoid the need to go back to the referrer for missing information. If the information provided by the referrer is vague or does not contain all the details necessary to make an initial assessment of the level of risk or the actual harm a child is at risk of, the Child Protection Worker must ask additional questions to get clarification from the referrer. It is important at this initial stage to be as clear as possible as to what the actual concern is and what is happening to the child.

Some referrers may be worried about referring a child to a local government authority, so it is important to make them feel comfortable and to assure them that they are sensible in informing the Child Protection Unit of their concerns. The Child Protection Worker will explain briefly, what the process is for following up the concerns. They will establish, if the referrer wishes, to remain anonymous, if the referrer has expressed his /her concerns to the child, parent or carer of the identified child, and if they did, what the response was from the child, parent or carer.

If the situation is about more than one child, then an Identification/Referral Form needs to be completed on each child in the family who is deemed to be of concern to the referrer.

4.15 Assessment

The Initial Assessment is the start of any work with a child and his/her family. Without a thorough assessment, neither a Child Protection Worker nor the Child Protection Meeting participants will be able to make an informed decision as to the situation of the child or the level of risk that a child is subject to.

An assessment provides the basis for

1. identifying a child's needs and strengths;
2. identifying the parents or carers' capacity to provide appropriate care for the child;
3. building a holistic picture of where the child and his/her family fits into the community;
4. analyzing the child's situation when all the information has been gathered;
5. making decisions about the type of risk that exists to a child and planning the actions that will reduce the level of risk and improve the capacity and care provided to the child.

²¹ Please refer to Appendix 6

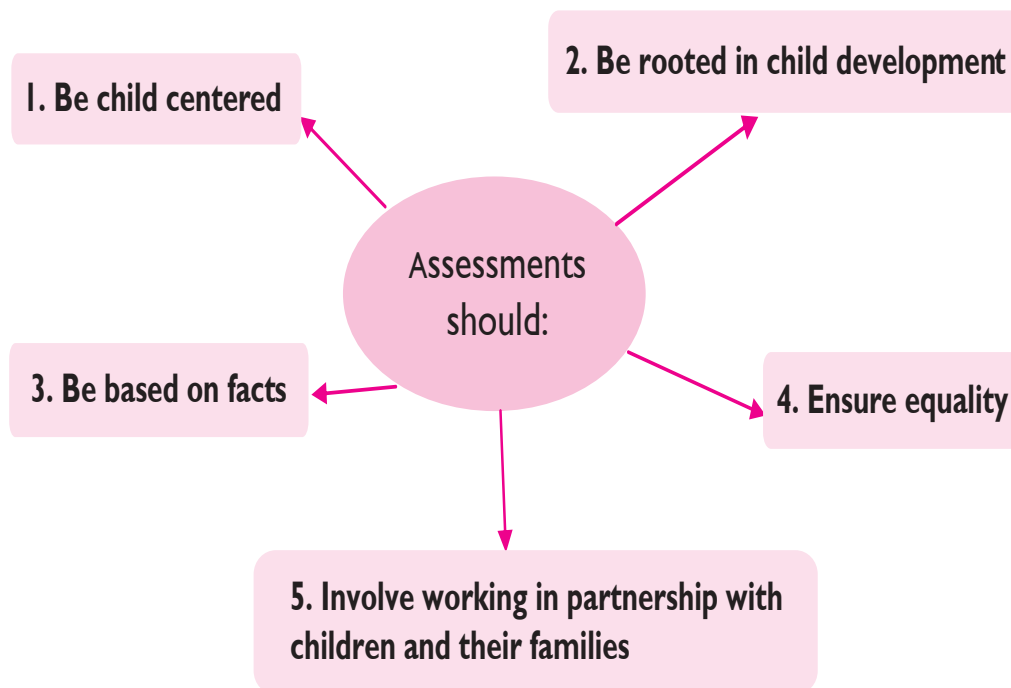


Fig.2 *The Scheme of presenting child assessment*

Assessments should:

- a. **Be child centered** – the child remains the central focus throughout the assessment;
- b. **Be rooted in child development** – professionals undertaking assessments of children must have a thorough working knowledge of child development that informs the assessment. Professionals need to be aware of the consequences of variations in development for children of different ages. Timing is critical, as children may not be getting what they need at crucial stages of their development. If a Child Protection Worker does not feel confident in assessing if a child is developing within the usual scale of child development, then they should seek guidance from a doctor, pediatrician or psychologist. Some of these children may have additional needs through a learning difficulty, disability or medical condition.
- c. **Be based on facts** – placing the child in the context of his or her family, wider community and culture. Research shows that environmental factors affect children’s development and can affect parents’ capacity to provide good parenting.
- d. **Ensure equality** – understanding and working sensitively with diversity to identify the particular issues for a child. Discrimination of all kinds is an everyday reality in many children’s lives, so every effort should be made to make sure that Child Protection Workers’ responses do not reflect or reinforce that experience and seek to counteract it. Examples of this could be a Roma child not attending school, a girl being removed from school before she is graduated or a child with a physical disability being refused education.
- e. **Involve working in partnership with children and their families** – most parents want to do their best for their children. Much research has underlined the importance of partnership with parents to safeguard children. Developing a positive working relationship is critical, so that parents (or carers) feel respected and informed. Partnership has to be based on honesty – professionals have a vital role to play by being open and honest.

An assessment is the process of gathering information from and about the child, his/her family or carers and his or her environment from the child, the parents or family members, carers, organizations or professionals that have contact or information on the child or family and analyzing the information using theoretical knowledge related to the child’s stage of development, psychology, a child’s rights according to the UN Convention on the Rights of a Child and the legislation of Albania.

An immediate decision will be taken by the Child Protection Worker on receipt of the information received from the referrer whether or not the concerns are about a child protection issue or not. Where the concerns or a request for information does not clearly fall into the remit of child protection, the referrer should be advised that the Child Protection Worker is unable to help them and the contact details of where they can seek further assistance provided to the referrer.

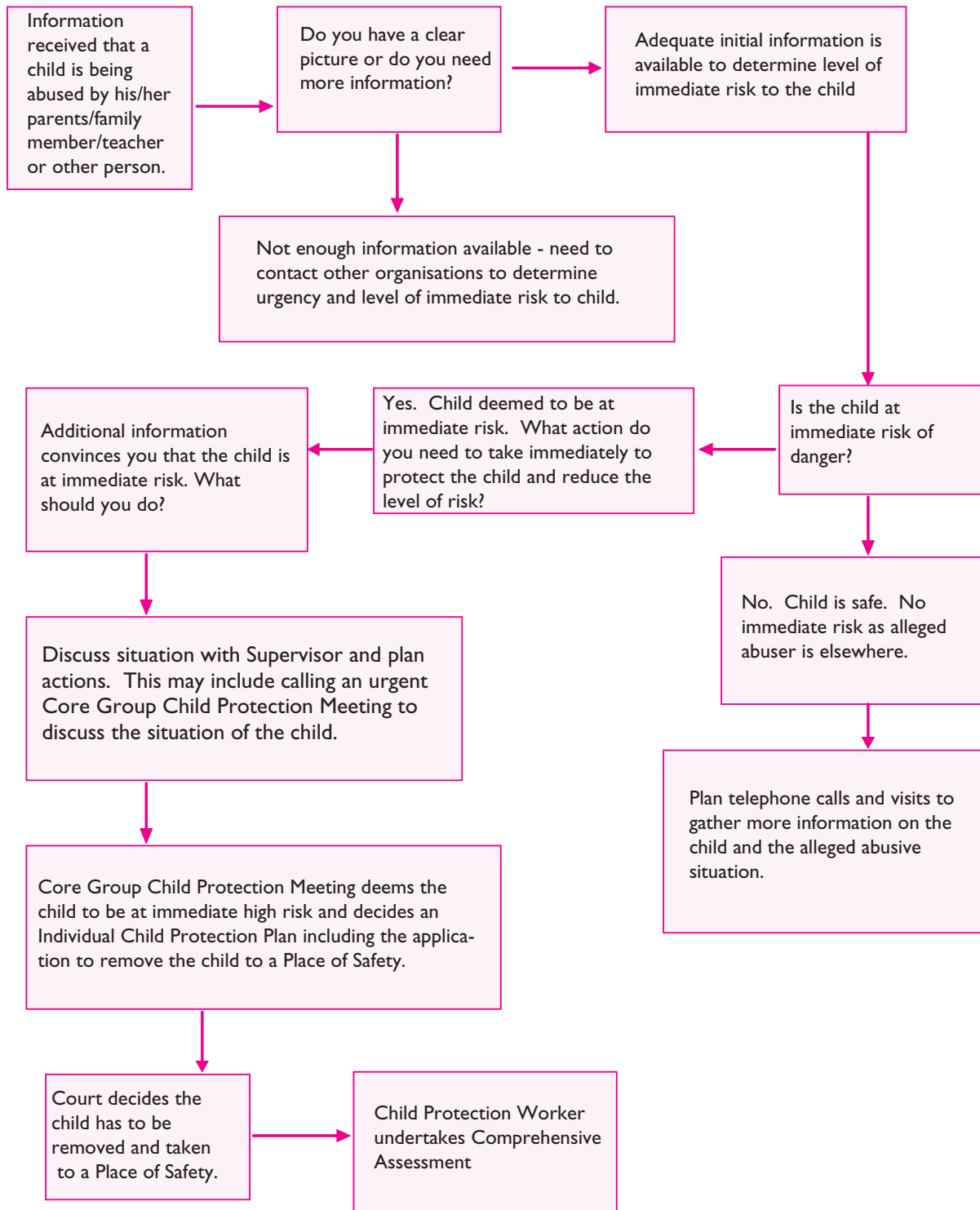
The Initial Assessment should begin immediately depending on the level of perceived risk to the child from the information received. A discussion between the Child Protection Worker and his/her Supervisor should take place the same day the referral is received, (or within a maximum of two days of receipt of the referral) to determine if the child is at immediate risk and if urgent action is required.

The Child Protection Worker and his/her supervisor will agree on the initial actions to be taken and the level of urgency needed for this individual child's case.

4.16 Issues to be Considered within the Initial Assessment

1. Do you have enough information and/or a clear picture of the concern or do you need to gather more details to make an initial assessment?
2. Is the abuse, abandonment, neglect, exploitation or risk of trafficking at a critical level or has it been a long-term low-level risk?
3. Is the child at immediate danger, which could cause permanent harm, disability or death or is the child about to be removed from the country?
4. Where is the child, is he/she in the care of the alleged abuser, exploiter or trafficker?
5. Is the child being temporarily cared for by a known and trusted carer? Can he/she remain there while an initial assessment is carried out?
6. Do you need to find a temporary carer or a Place of Safety for this child now to prevent the child returning to a potential highly dangerous situation?

4.17 Assessment Process



4.18 Confidentiality when Working with a Child or Family

Confidentiality relates to the gathering, sharing and storing of information within a working environment. Child Protection Workers due to their role and function will not be able to keep information received from a child or family member a secret. They will need to record the information into their records and files and use it for the actions, they will take to work with the case of the child in need.

These files are the property of the Child Protection Unit and are therefore accessible to other Child Protection Workers and/or the supervisors, as well as to the employees of the responsible administrative bodies for the protection of children and their families. Sharing of the information by respecting the confidentiality and the best interest of the child is the CPW responsibility, and children and/or his parents or carers should be informed and asked to sign a consent form agreeing to the sharing of information, whenever it is possible and in the best interest of the child ²².

In order to protect a child the Child Protection Worker will often need to share information given to him/her to other professionals, e.g. the police or a child's teacher so that the child can be protected or provided with the appropriate services.

Under no circumstances can a Child Protection Worker tell a child or a family member that the information will be kept secret. This is important when we are talking about the protecting a child from all forms of abuse or when another child might be at risk of harm, neglect or trafficking. This is why it is important that CPW does not promise to the child and/or family members that he/she will keep the information secret, as this information needs to be shared with third parties.

If a child will not divulge his/her worries about a person hurting or harming him/her, because the Child Protection Worker will not promise to keep a secret, then it is the role of the Child Protection Worker to explain his/her role and that the job is to help children and to work with others to ensure they are protected. In addition the child needs to feel that they can come and talk to the Child Protection Worker at any time he/she chooses to. The child needs to know the boundaries and role that the Child Protection Worker has and that he/she alone cannot protect them or change the abusive situation the child may be in.

CHAPTER 5

COMMUNICATION AND INTERVIEWING METHODS

5.1 Types of Interviews

Different approaches can be used to gain information from children and/or adults depending on the type of information the Child Protection Worker needs to gather. It is usual to use a mix of methods to gain the information required to complete the Assessment.

- a. **Basic Information Gathering Interview** assists the Child Protection Worker to gather basic information about the child, family and professional services or assistance that the child and/or family is currently having. In addition the Child Protection Worker can learn if any other allegations or concerns have been raised about this child.
- b. **Informative interview** assists the Child Protection Worker to learn whether the reported incident or concern has affected the health, behavior and child's welfare and whether other professionals need to intervene. Informative Interview can be done by phone to professionals and other child care related organizations, health professionals or by talking directly to the child or family members.

Based on the individual case, the Child Protection Worker can speak to the family doctor, the child's teacher, school psychologist, the public order officer where the child lives and the social work provider (public and non public) in the community if the family is known to them, to gather background and current information regarding the child, his/her siblings and/or members of the family.

- c. **Investigative Interview** is the form of interview, which focuses on collecting information and details about the alleged abuse or risk of harm or concerns about the child's welfare. The investigative interview can be conducted face to face with the child and/or the individual members of the family by the Child Protection Worker.

In situations where the abuse has caused major trauma or injuries to the child, the Child Protection Worker must inform the police. Where the extent of the abuse is not initially known but the Child Protection Worker suspects (because of the details given by the referrer) that an injury has been caused to the child, he/she should discuss the situation with the police prior to conducting the interview and in these circumstances maybe the child will be jointly interviewed by the police and Child Protection Worker.

It is important that the child is not repeatedly interviewed about his/her injuries or any abuse by different professionals as this can lead to further trauma and distress to the child. Research has shown that continual or repeated interviewing of children regarding abuse can be perceived as further abuse by the child.²³

²³ See *Investigative Interview Plan for a Child mentioned below*, pg.90

Where **the allegations are of serious physical and/or sexual abuse, neglect or trafficking, the investigation should be handled by the police and other appropriate professional organizations** so that vital evidence is not lost or contaminated by too many investigators and/or examinations of the child. Always seek the advice of your Supervisor as to how to proceed.

During the interview, the Child Protection Worker will be able to observe the child's behavior and see if there are any obvious physical signs of harm or trauma. The Child Protection Worker will note down in writing any signs of physical abuse or trauma that he/she can see. In addition, where a child has obvious cuts, abrasions, bruises, burns or broken bones, the Child Protection Worker can complete a Skin Map. The use of the Skin Map is to pinpoint where on the child the cuts, abrasions, burns, or broken bones are located and their shape and size²⁴.

A Child Protection Worker is not permitted to undress a child or ask him/her to show him/her covered parts of his body. Remember this child may have been abused and does not need to be emotionally nor physically "assaulted" again by a non-medical professional. In any circumstances where a child has received an injury to his/her body, face or head the Child Protection Worker must refer him/her to a medical doctor for an examination and any necessary treatment.

An Investigation Interview can also be carried out with the parent(s) or caretaker of the child or the referrer to gather more details of the allegation or abuse suffered by the child. Again, the Child Protection Worker must be cautious when actual physical, sexual abuse or trafficking has been alleged and should discuss the situation with the police before interviewing the alleged abusers.

- d. **Social Interviews** are conducted at various points of a Child Protection Worker's intervention and assistance to a child and/or family. Social Interviews can be used in different ways to clarify, define and address problems affecting the child and/or family. The provision of information and advice to parents who are experiencing difficulties with their child's education or issues of non-physical discipline could be examples of a Social Interview.

5.2 Communication as an essential tool

Each Child Protection Worker will:

- a. need to develop his/her skills and competence in listening and communicating with children and adults. Good communication is an essential tool for any Child Protection Worker as they need to be able to hear what a person is saying to them and not put his/her own interpretation on what they think they have heard;
- b. need to be able to speak clearly and precisely on issues that may be traumatic and sensitive;
- c. need to be able to adapt his/her tone and use of language/words to ensure that the person listening to them clearly understands what has been said to them.

5.3 Communicating with a Child

Due to the age, abilities and stage of development of the child, **the Child Protection Worker may need to use different means of communicating with a child** than those used with an adult. Young

²⁴ Please refer to Appendix 12 for a copy of a Skin Map

children may use play, drawings, dolls or toys to explain what has happened to them rather than use words. The Child Protection Worker should use terminology that is appropriate and understandable for the specific child they are working with.

Depending on the type of referral or allegations it may be necessary for the Child Protection Worker to interview the child to find out whether the child has been abused or not. It is crucial that the interview of a child is well planned and all the information gathered at one time so as not to cause the child undue anxiety or worry and necessitate the child to be interviewed several times regarding the same subject.

The first step when interviewing a child is to be clear about the purpose of the interview and what information you need to clarify or gain more details about. Try to arrange a venue that is quiet and comfortable and where people will not interrupt you and the child and where you can take your time to listen to the child.

A child should have a trusted adult with them while the Child Protection Worker speaks to them. A trusted adult, e.g. non-abusive parent, a relative or teacher may be in the room or readily available after the interview, but must not talk to or influence the child by speech, signs or body language during the interview. The Child Protection Worker should explain the process to the trusted adult prior to the interview so he/she knows what is going to happen and will not show shock or surprise which may make the child anxious about what he/she is saying.

A child must not be interviewed in the presence of the alleged perpetrator.

During the interview, the child should feel safe and secure and able to trust the adult before they will feel comfortable to answer questions or explain what happened, especially related to issues he/she finds painful or difficult to answer. Remember, a young child may not use the same words that an adult would to describe parts of the body or actions. Toys, role-plays or drawing may be methods where a child can express himself more clearly.

When interviewing any child with regard to allegations of abuse, harm, neglect or exploitation **the Child Protection Worker must keep an open mind as to the individual child's situation and not rely on preconceived ideas based on prejudices and stereotypes.** If a child senses that the Child Protection Worker is shocked or uncomfortable by what he/she says, they may refrain from giving all the details, as they think they are disgusting or awful or feel that they are to blame for being abused.

The Child Protection Worker must not provide words of encouragement or tell a child he/she is good whilst the child is providing information or details, as this could lead to believing he or she is telling the Child Protection Worker what they want to hear as opposed to what actually happened.

The Child Protection Worker is not an investigating police officer and should not pressure the child to give information that he/she does not want to. The role of the Child Protection Worker is to gather information about an incident or series of incidents and/or to listen to what the child wants to say. It is not a question and answer session and the Child Protection Worker must not put allegations to a child for him/her to corroborate. If a child does not want to give details of the suspected abuse or the abuser, the Child Protection Worker will not pressurize the child to do so. The Child Protection Worker can, using other sources, gather information that will ensure the child's safety.

The role of the Child Protection Worker is to protect the child and ensure his/her safety and welfare not to prosecute a person for causing harm to the child.²⁵

²⁵ Refer to Chapter 2, point 2.1 "Basic principles guiding the Child Protection Worker", for further information.

5.4 Basic Principles during an Interview with a Child

The basic principles during an interview with a child are as follows:

- Learn as much as possible about the child before the interview from family members or professionals as this assists in the establishment of the child's trust;
- Have a plan for the interview, but allow for changes depending on the information given. Take into consideration the child's attention span and the child's ability to express him/herself clearly;
- Explain to the child the Child Protection Worker's role, the reasons for the interview and that what he/she says will be recorded and may assist in further actions to protect the child;
- Make sure that the child feels comfortable during the interview, provide a cold drink, breaks;
- Use friendly body language; smile, nod your head, keep eye contact;
- Adapt your speed of voice to the one of the child, use short and simple sentences;
- Ask one question at a time and allow the child time to understand and think about the question. Children do not think as quickly as adults and need some time in order to process their thoughts;
- Use concrete not abstract questions;
- Do not ask leading questions and use open-ended questions. Avoid questions that require no/yes as an answer;
- Do not ask suggestive questions: "Are you happy to live with your grandfather?" Alternatively ask: "Tell me what it is like living with your grandfather?"
- Make sure the child has understood the question, if not repeat it once or reframe it in another way;
- Use questions with: what, where, when, who, how, e.g. Tell me about your family, how many people are in your family? Who do you like? Is there anything you do not like? Tell me about your school, house or who you like to play with? Tell me about the things that make you happy and those, which make you sad?
- Do not ask questions starting with "Why";
- Avoid the use of pronouns; for example use: "Say *Petriti*..." instead of "Say him";
- Observe the body language of the child.

5.5 Suggested investigative interview plan for a child:

The child may be nervous and anxious when being interviewed about alleged abuse or harm that he/she is supposed to have suffered. It is the role of the Child Protection Worker to both assure the child and to safeguard his/her rights and welfare during the interview.

A Child Protection Worker can do this by making sure that they are calm, have prepared a flexible plan for the interview and are mentally prepared to deal with potentially upsetting details of abuse of the child.

The Child Protection Worker should not go into the interview with a "closed" mind or perception of what they expect to hear or learn, but should be open to anything the child says. Therefore, he/she should do the following:

- **Begin by introductions of the Child Protection Worker**, the child and any trusted adult present in the room;
- **Ask the child if he/she knows why the Child Protection Worker wishes to talk to him/her.** If the child says "Yes" then the interview can start from this point to ask the child to tell the Child Protection Worker what has happened to him/her that makes him/her sad or uncomfortable; If "No", then explain that the job of the Child Protection Worker is to help children who are sometimes hurt or upset because of things done to them;
- **Ask the child to tell you about his/her family or his favorite game or something he/**

- **she likes to do or eat**, to gradually empower the child to talk more freely;
- **Once the child is feeling more relaxed ask him/her if anyone has done something to make him/her feel sad or uncomfortable;**
- **Let the child tell you his/her story without interrupting them.** When the child has finished the Child Protection Worker can ask clarifying questions to ensure the information is clear and details are fully understood. Remember the younger the child the more likely it is that they will not use biological terms for parts of their bodies or those of an adult. The child will tell you what someone did to him/her or made them do to him/her;
- **It is important when clarifying the details** on days, times, frequency, where the abuse took place, who else was around or in the home/place and what the person was wearing, what items of clothes were removed, what object(s) were used to harm the child, what did the adult say to the child, where threats made if so what, was anyone else in the house/building at the time, does the child remember any particular smells or sounds, has the child told anyone else?
- **When the details are clarified, the Child Protection Worker will thank the child for telling his/her story and will explain what he/she will do with the information the child has told him/her.** This will include sharing the information with the police if this is the next step, talking to the alleged abuser if this needs to be done by the Child Protection Worker, finding a safe place for the child to be taken whilst further investigations are needed or explaining to the child that this information needs to be discussed with his/her parents so that they can care for him/her appropriately and ensure he/she is not hurt again.
- If the child becomes upset at any time during the interview, the Child Protection Worker will give the child a break and comfort him/her by offering tissues, a drink or time to go to the toilet. The Child Protection Worker should acknowledge that it is difficult to talk about uncomfortable feelings and happenings.
- Remember that children do not perceive things in the same manner that adults do nor do they give the same value to power, authority or status but for most children they accept that what adults do and say is to be followed without questioning. If the child has entrusted the Child Protection Worker with his/her story then it is important that the trust is not broken or abused.

5.6 Principles of Interviewing Family Members

The interview of the family members will provide much background information and history of the child's life from birth up until the current day. By talking with family members, particularly the parents the Child Protection Worker will gain an insight into how the family functions and how they regard this particular child. Sometimes a child may be perceived (by the family) as the center of all the problems a family has and this produces negative views and attitudes about the child.

Apart from gaining information about the child, **it is important to gain details of the family's current situation including the ages and relationships between each member, employment, income and expenditure, problems that the family has, sources of assistance and advice, friendships, medical and health conditions of all the members and their understanding of the alleged child protection concern.** If the alleged abuser is a member of the child's family then the Child Protection Worker must be cautious and gather the details, but not use leading questions or criticize the abuser or negate the effects of the incident.

Interviewing the family at home also provides the Child Protection Worker with the opportunity to see the family members relating to each other. Are some very quiet and watchful, does one member dominate the conversation, do they argue over what is said? In addition, the Child Protection Worker will be able to assess the condition of the family home: Is it large enough for all the family members, is it adequately furnished, what are the cooking and bathing facilities, does the home have electricity, water and gas, does the property provide shelter from the cold, wind or extreme heat? What space is available for the child to study or complete homework in peace and away from other distractions?

With this information, the Child Protection Worker will have a better understanding of the family dynamics and information that should help him/her to assess the family and child dynamics and home environment in which the child is being raised. It is recommended that the interview with the family members be carried out before speaking with the child, unless the allegations of abuse are against a specific family member, when in which case the details and information about the alleged allegations would be gained from speaking directly with the child.

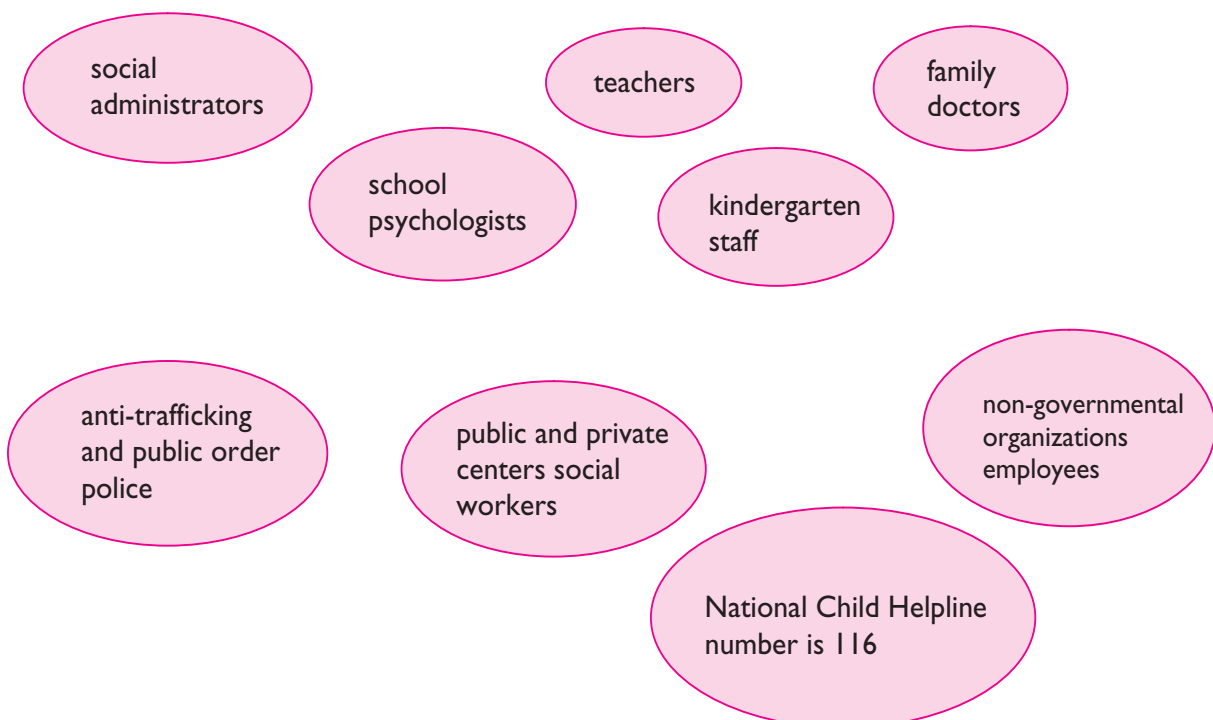
CHAPTER 6

GATHERING AND STORING INFORMATION

6.1 Sharing important information

Child Protection Worker shall exchange important information with other professionals working with the child and have the duty or are responsible for the protection of the child.

The most important professionals involved in the issues of child protection



If the child has reached the level of development to give consent, the Child Protection worker must discuss the decision to share confidential information with the child and his/her parents/caregivers. The Consent to Sharing Information Form must be filled in. In situations where the child is at immediate risk of harm then the Child Protection Worker might share this information with the professional/s that is/ are able to provide immediate support for the child, such as police, judge.

6.2 Consent to Sharing Information

When the assessment begins the Child Protection Worker must inform any child or member of the family why they need to gather information. This relates to the receipt of the referral and concerns of abuse or neglect or trafficking and what they will do with the information once it has been given. If the family does not trust the Child Protection Worker or the organization in which he/she works then they are liable to limit the amount or type of information they provide and this could have a negative effect on the assessment and outcome of the decisions made.

The Child Protection Worker will inform the child and his/her parents or members of the family that information gathered will be stored on a computer and in a paper file within the Child Protection Unit. Information that pertains to the risks posed to the child will be shared with other professionals as deemed necessary by the Child Protection Worker. The child (if old enough to understand the concept of confidentiality and sharing of information) and/or his parents or carers should be asked to sign a consent form agreeing to the sharing of information.²⁶

If the child and/or family do not sign the Sharing of Information Form, then the Child Protection Worker will explain that if any information gathered leads him/her to believe that the child is at risk of harm, abuse, neglect or exploitation that he/she is duty bound to share this information. The Child Protection Worker will note on his/her recording sheet that:

- a. the child, or family member or guardian declined to sign the Sharing of Information Form, as well as
- b. any reason given by the person.

The Child Protection Worker must always respect the confidentiality of the child, his/her parent and family and other information gained during his/her work. Any information shared between professionals or organizations involved in the protection of the child, will be limited to essential information only.

Issues of confidentiality are often a concern when it comes to gathering information as doctors, teachers, school psychologists, neighbors and NGOs are often seen to be good sources of information. Many professionals may, because of their Code of Ethics or Professional Code of Conduct or employment contract, may not be able to provide fully the Child Protection Workers with the type of information they are requesting. Therefore, the Child Protection Worker should ensure that the information he/she is asking for would actually assist in determining the risk to the child. On the other hand, do not request information that does not have a direct impact on the assessment of the child's background, parenting capacity, current situation or family environment.

6.3 Information to be gathered during the assessment

The information that will form the full assessment needs to be detailed enough to make an informed decision on the situation of the child, the level of the child's development and his/her needs, the ability of his/her carer or parent to protect the child and provide adequate care for the child and to ascertain whether there is a risk to the child as described within the referral. The assessment should be completed within a maximum of 6 weeks.

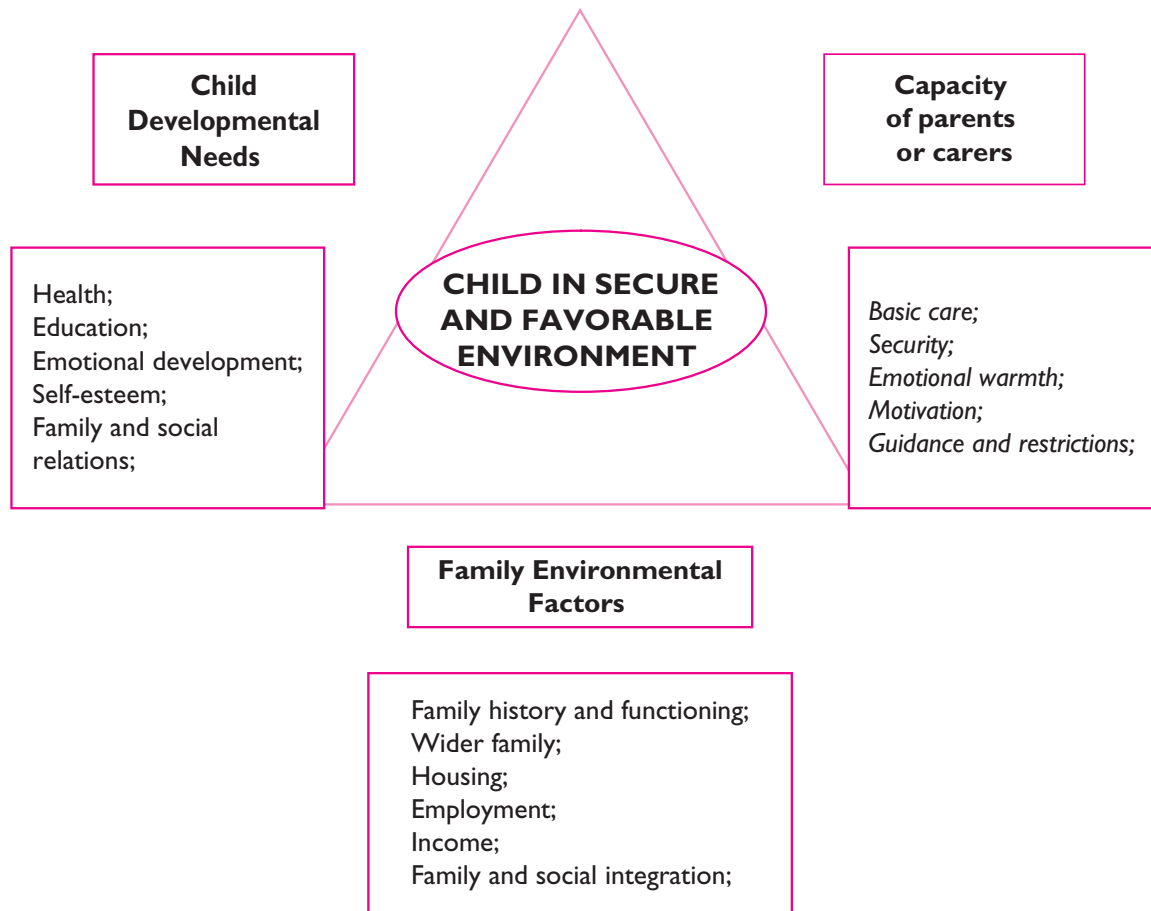
There are three basic domains that need to be covered in the assessment.

Please refer to the diagram below which shows the areas that the Child Protection Worker needs to gather information on. The purpose in gathering all this information is to provide a full and in depth picture of the child and his/her carers and environment. All three domains have an impact on the child and his/her opportunities to fulfill his/her potential and to develop into a well adjusted adult. To miss out any section or item will have a negative effect on the outcome of the assessment and the Individual Child Protection Plan.²⁷

²⁶ Please refer to Appendix 8 "Consent to Sharing Information Form"

²⁷ To assist in gathering the relevant information the Child Protection Worker can use as a guide, Appendix 9, "Collecting Information for your Assessment".

Three Domains for a Child Protection Assessment



The questions relating to the child's development should be related to his/her age and take account of any medical illness or disability the child has been diagnosed with. Remember a child may have a disability but that does not mean that he/she cannot learn skills, nor be educated and it does not mean that due to the increased vulnerability they cannot be abused.

6.4 Information Source

The information can be gathered from a range of sources and informants, but it must be made clear when the Child Protection Worker contacts them either by telephone or in person that he/she is assessing a suspected case of child protection.

Main sources of information will include but is not exclusive to:

- a. The child;
- b. The child's parents or main carer;
- c. Extended members of the family;
- d. Doctor;
- e. Kindergarten or school teachers;
- f. Director of the Municipality or Commune Head;
- g. Director or Social Workers in the Economic Aid and Social Care Office in the municipality or commune;
- h. Police, border police or anti-trafficking police;
- m. Residential care workers if the child is in a residential home;
- n. NGOs or other organizations that have been working with the child and his/her family members.

The following information should be gathered from the above-mentioned sources:

6.4.1 The Child

- Child's stage of development in relation to his/her age; physical, intellectual abilities, social relationships in and outside of the family; speech development, level of independence and ability to care for him/herself;
- Child's health to include whether the child has had all vaccinations; any serious illnesses or operations; child's weight and height; any allergies, any medical conditions, (epilepsy, diabetes, asthma) and regular medication required for a medical condition;
- Any special needs of the child;
- Child's education; to include attendance pattern, academic ability; relationship with peers and/or teachers; any special responsibilities;
- Child's relationships within the family; position within the family; relationship with his/her sisters, parents, grandparents;
- What does the child do in their leisure time?
- Does the child have to work to supplement the family income? How many hours and where does this take place? Is the work risky to the child's welfare or development?
- Any stress factors within the family relationships which are targeted at the child;
- Child's views of his/her situation and the issue of child protection concern.

6.4.2 The Family or Carers

- Family or carer's views on the alleged risks or abuse of the child; were they are aware of the risks involved, if they are the alleged abusers, do they accept responsibility or see that their action was inappropriate?
- Family or carer's ability to provide a safe and stimulating environment to meet the child's physical, emotional, intellectual and health needs;
- Do the parents/carers have any concerns about the child's behavior or who the child has access to (e.g. friends, other adults);
- What is the family's attitude to the importance of education, play or work in relation to this child;
- Family's financial situation;
- Housing conditions and facilities to ensure an appropriate level of care for the child according to his/her age;
- Family members' relationships, strengths, stressors, any domestic violence;
- Family employment; type of work, hours worked, is it secure employment or casual;
- Adult carers' health, any disabilities, any concerns of drug or alcohol dependency;
- Is the family integrated into the community; does it take part in social events, have good neighborly relationships.

6.4.3 The Community

- What community resources are available for the child and family, e.g. schools, kindergartens, park or sport facilities, library, after school activities, mosques or churches, shops or NGOs?

Once the Child Protection Worker has gathered all the relevant information from the child, family or carers and other professionals and organizations, he/she will need to complete an Essential Assessment Report.²⁸

28 Please refer to Appendix 7 "Essential Information".

6.5 Child Protection Worker's Assessment Report.

During the assessment, the Child Protection Worker will gather and record information onto the child's file on the Recoding Sheets.²⁹

Once all the information is gathered, the Child Protection Worker will transfer the most important data onto his/her Child Protection Worker's Assessment Report, which will contain:

- **Enough information to give a clear and detailed picture of all the child's developmental needs,**
- **The capacity of his/her parents/carers to provide appropriate care for the child and**
- **What the Child Protection Worker deems the risks, (if any) to be to the child.**

Once completed the Child Protection Worker's Assessment Report will be read by the Child Protection Worker's Supervisor who will add any comments and then he/she will sign it.

The Child Protection Worker will take a copy of his/her Child Protection Worker's Assessment Report for the parents/carers to read and sign. If the parents/carers are unable to read then the Child Protection Worker will need to read the contents to the parents/carers. The parents/carers can make any comments they wish to be added to the Child Protection Worker's Assessment Report and if they wish, they can sign the report. As the information contained in this report will be presented at the Child Protection Meeting, it is important that the parents/carers are aware of its contents and what the risks are perceived to be to the child.

Depending on the age, the child will also be informed by the Child Protection Worker of the main points in the Child Protection Worker's Assessment Report and what the child protection concerns are.

²⁹ Appendices 6, 7 and 11

CHAPTER 7

ADDITIONAL RESOURCES AND METHODS TO GATHER INFORMATION

Apart from asking questions of children and family members a range of methods can be used which are easier and friendlier for them to fully participate in the assessment process. Two such methods are Eco-maps and Genograms. Both methods are easy to use, require basic and simple materials and can be adapted for use with a child, individual adults or a whole family group.

7.1 Genograms

- a) **Making a Genogram is an opportunity for social workers or Child Protection Workers and members of a family to co-operate together in a shared activity.** Child Protection Workers should try to involve parents, children and other appropriate family members (e.g. grandparents) as fully as possible in the activity.
- b) **Genograms can be developed to include many different parts of the extended family,** e.g. children from previous relationships, cousins, new husbands and wives. It is generally useful if the Genogram covers at least three generations, i.e., grandparents, parents, children.
- c) **If the Child Protection Worker is not experienced at drawing a Genogram,** it is a good idea to practice the technique with colleagues using their own family as a basis.
- d) **It is useful to use a large sheet of paper and pens or pencils of various colors.**
- e) **Extra details can be added to the Genogram,** such as important places and significant events, e.g., an accident, which leaves someone with special needs.
- f) **Working on a Genogram is an opportunity to discuss a family's history in detail** and to explore how members of the family feel about what has happened to them.
- g) **Working on a Genogram is also an opportunity for the Child Protection Worker to observe how members of the family interact with one another.** For example, how open they are with one another, how well they respond to each other's needs and how much they know about each other. Is anything revealed about a family member that has not been mentioned in the family before?

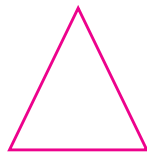
7.2 Genogram symbols



Male



Female



Gender unknown



Death



Abortion or miscarriage

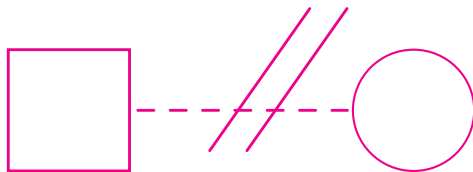


Long - term relationship

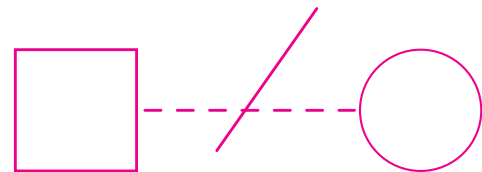


Short - term relationship

Married or living together



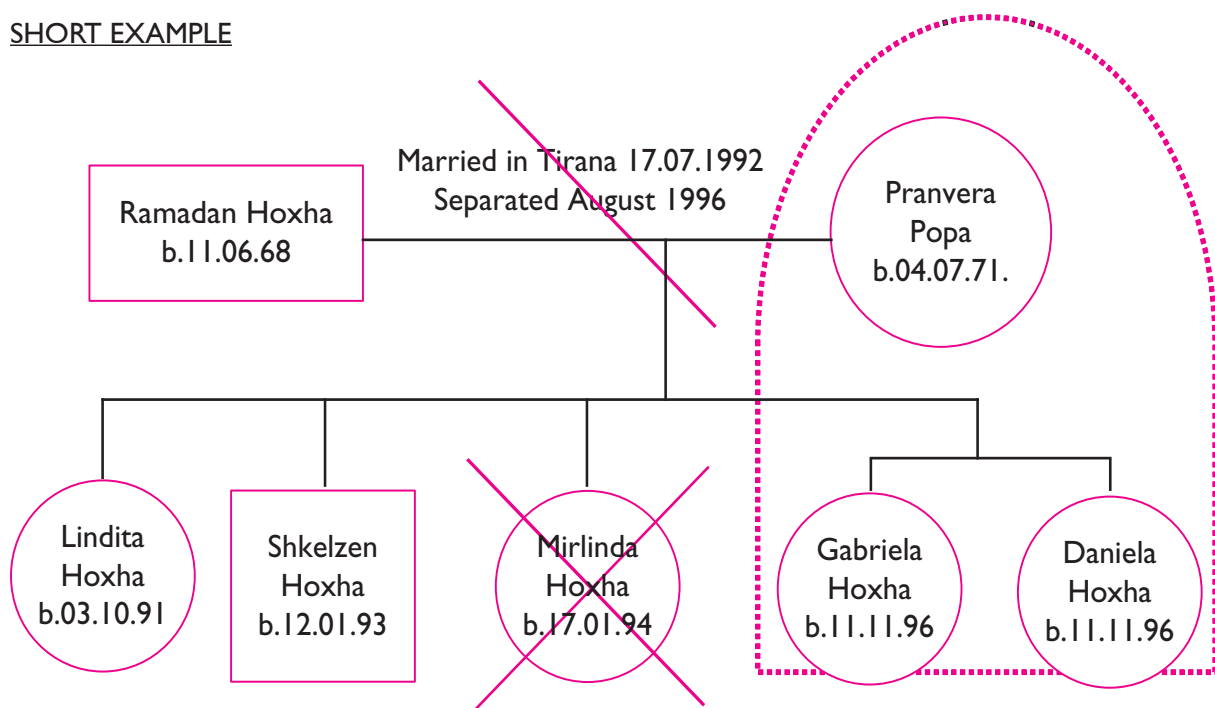
Divorce



Separation

A dotted line should be drawn around the people who currently live in the same house.

SHORT EXAMPLE



7.3 Ecomaps

The Ecomap is a visual representation of the family in relation to the community. It shows the relationships between individual family members and the family as a unit and external systems such as the kindergarten, school, health system, work, leisure activities and spiritual community. Information such as time spent in getting to health care, school, buying food and other goods for the family, caring for animals, access to transportation and the safety of the family is learned through an Ecomap. It is another assessment tool that provides a tangible, graphic picture of a family's situation.

Ecomaps use symbols to depict the nature of the relationships between the family and other systems. They also show the flow of energy; therefore the efforts the family members consume and the energy that flows into the family. If there is a major imbalance in these relations, it may help the worker and the family to target some areas for intervention.

When constructing an Ecomap the most important thing is that everyone involved in the process understands what the symbols mean. It is in the process of constructing the map (and not in the end product) that learning occurs.

Usually, an Ecomap would be used in situations where the worker has a reason to believe there are problems in the 'fit' between the family and its environment. In this respect, it is probably a useful tool for Child Protection Workers especially in the early stages of the assessment. As new information emerges or the family is able to access new resources, the map will change. Showing the changes may be a good way to reinforce the progress that the family has made.

Creating an Ecomap involves:

1. drawing a circle to represent the family;
2. identifying the other systems that impact on the family;
3. identifying resources or systems that are needed but are absent;
4. determining how the energy is flowing between the various systems.

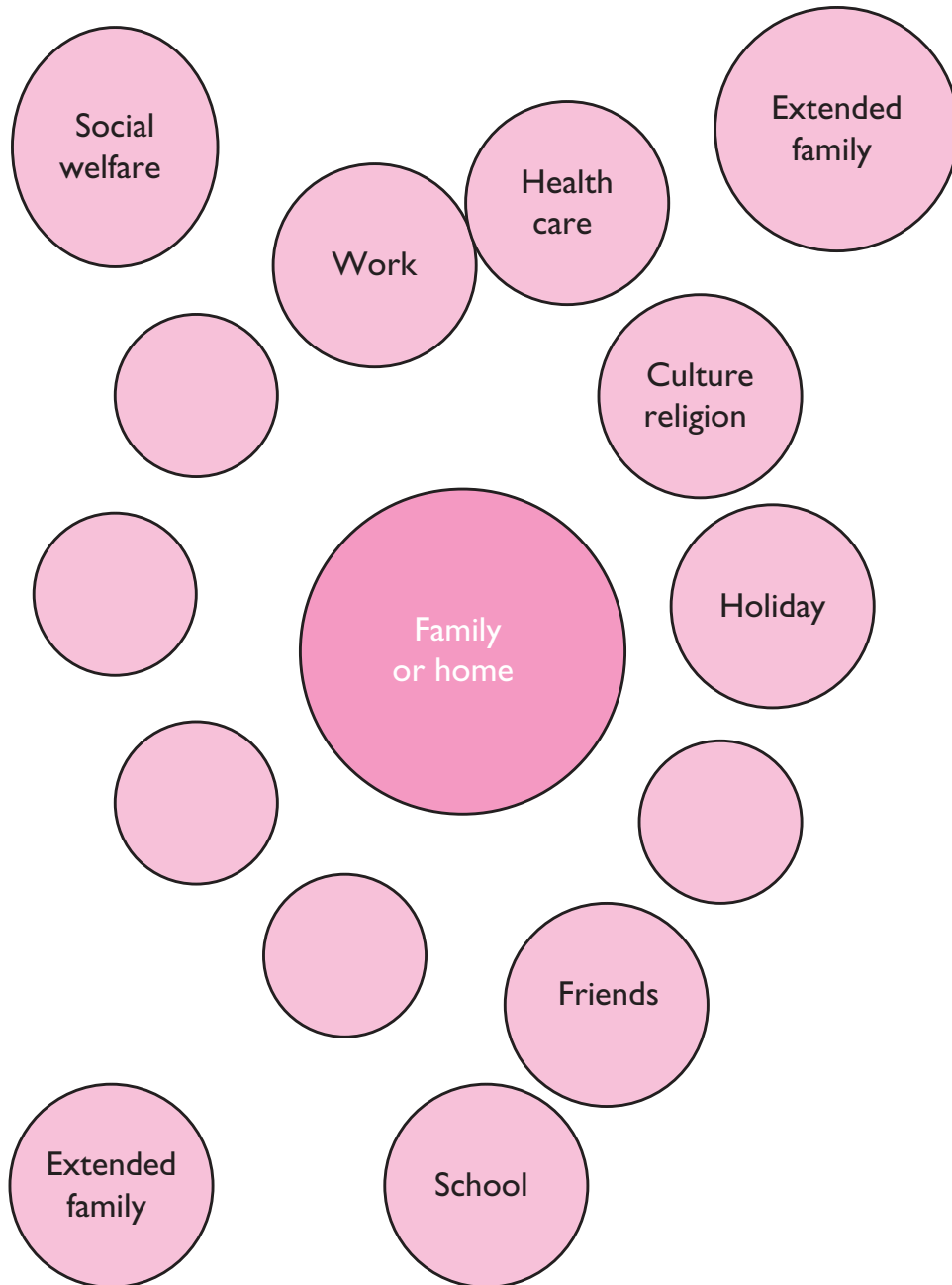
The systems identified can be formal or informal. The map symbols for constructing an ecomap are set out on the following pages.

7.3.1 Eco-map symbols

Eco-map

Name:

Date:



Fill in connections where they exist. Indicate nature of connection with a descriptive word or drawing and different types of lines:

for strong _____ for weak and for stressful
Draw arrows along lines to signify the flow of energy or resources etc.

7.3.2 Directions for using the Ecomap

Draw the family system or household as defined by the family member[s] in a large circle at the map's centre.

Use the symbols of the Genogram to depict family members. Indicate relationships as in the traditional family tree or genetic chart. Insert the person's age in the centre of the Genogram symbol.

Fill in or draw circles for the other systems of the family environment, in contrast to the Family Circles, the circles can be any size and do not reflect significance by their size. Some of the most common systems for families are extended family, recreation, health care, and school.

Add the connections between the family and the different systems of their environment. Indicate the nature of the connections by the type of line drawn. A solid or thick line represents an important or strong connection and a dotted line a tenuous connection; jagged marks across the line represent a stressful or conflicted relationship.

Indicate the direction of the flow of resources, energy, or interest by drawing arrows along the connecting lines.

Connections can be drawn to the family as a whole if they are intended to portray the total family system's relationship with some system in the environment. Child Protection Worker can draw other connections between a particular individual in the family and an outside system where that person is the only one involved; or different family members are involved with an outside system in different ways. This enables the map to highlight the contrast in the way various family members are connected to the other systems.

To develop your skills with the Ecomap, practice completing an Ecomap of your own family or friends.

An Ecomap is traditionally made using pen and paper but it can be made out of various mediums including pebbles or stones of various sizes, colors and textures, buttons, photos of the family members or drawings.

The closeness or distance between family members and/or others can denote the strained or non-significance of the relationships. Large or dominant features can denote the significance or the important role played by that person in the individual or family's life.

CHAPTER 8

EVALUATION OF A CHILD'S SITUATION BY ASSESSING THE LEVEL OF RISK AND NEED CHILD PROTECTION MEETINGS

8.1 Cycle of interventions

All children are unique, have the same basic needs for survival, nurture and care but due to their individuality and their living situation require a different level of nurture, care and attention. Whoever provides these basic needs also needs to respond to the child's individuality and therefore the Child Protection Worker needs to understand the adult's ability and skills and parenting capacity to meet the child's needs.

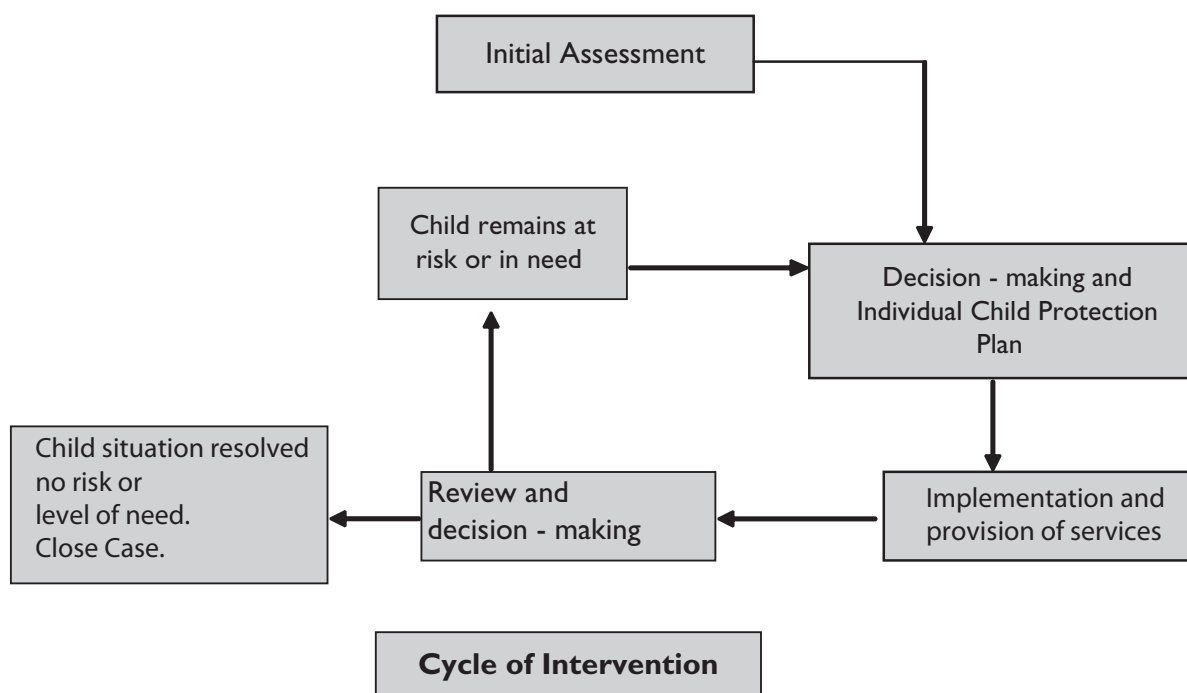
The assessment is a systematic process for:

- a. gathering detailed information concerning the child at risk or in need,
- b. for identifying the strengths of the child and his/her family, the social environment in which the child and family live in and the child's need for alternative care, support and protection.

Assessment is the first stage of a cycle of intervention in the case of child protection. It is vital that a good and thorough assessment is undertaken before any form of support or intervention has begun. In emergency situations food, clothes or shelter should be provided to children and/or families where this is required.

The elements of good childcare planning include:

- a. Referral or identification;
- b. Assessment;
- c. Decision-making regarding the level of risk and/or need;
- d. Intervention and provision of services;
- e. Regular review of the child's situation;
- f. Decision-making to close the child's case if level of risk is significantly changed; or;
- g. Further intervention and provision of services;
- h. Review; and
- i. Planned closure.



Although the Child Protection Worker is the person responsible for undertaking an assessment of a child alleged to be at risk or in need, **other professionals may also undertake a different form of assessment** according to their profession. These may include one of the following:

- a. Teacher's assessment on the educational level or achievement of the child at key moments of the educational process to determine future educational plan;
- b. Medical assessment to assure that the child is healthy or is developing appropriately;
- c. Assessment by a school psychologist on the child's behavior, his/her strengths and weaknesses and any barriers, which stop the child from fully participating in the educational and social processes.

In addition **specific assessments can be undertaken by specialist to assist in determining the needs of a child and or specific services** that need to be provided for the child's overall development and welfare. These could include:

- a. Medical examination to ascertain if there is physical evidence to support allegations of sexual abuse or non-accidental broken or fractured bones;
- b. Tests and analysis by a psychiatrist, psychologist or neurologist to determine if a child has a learning difficulty or a mental health condition;
- c. Physiotherapist or speech therapist to assess the needs and the provision of services or equipment for a child with a physical disability or delayed speech.

8.2 Child Protection Meetings

The Child Protection Worker will discuss with the manager or Supervisor the completed Child Protection Worker's Assessment Form and Risk Indicator Form. The Supervisor will acquaint him/herself with the case and the information provided by the Child Protection Worker. Together they will determine:

- a. the need to convene a Child Protection Meeting and
- b. important authorities or individuals to be invited to this multi-disciplinary decision-making meeting.

A Child Protection Meeting should be held within one week of the finalization of the Child Protection Worker's Assessment Report and Risk Indicator Form. If the level of risk is determined to be high and at a critical level, the Child Protection Worker and the Supervisor convene a Core Child Protection Meeting within 2 days after the finalization of the Child Protection Worker's Assessment Report and filling in the Risk Indicator Form.³⁰

At a Child Protection Meeting, the following people and organizations/state authorities should be invited that can:

- a. provide knowledge of the child and his/her family and situation and
- b. are able to make decisions regarding the provision of professional services or organizations/authorities responsibilities.

The purpose of a Child Protection Meeting is not to interrogate nor place blame for a child being in need or at risk but to develop a protective plan to improve the child's situation.

The persons invited should be only those that have a role to play in the information sharing and to be able to assist in the development of the Individual Child Protection Plan:

- a. Child Protection Worker;
- b. Supervisor of the Child Protection Worker;
- c. Police if the case is part of a criminal procedure and prosecution is likely to happen or the family has been reported for domestic violence;
- d. Child;
- e. Parents or family members;
- f. Kindergarten or school teacher if a child is known to either;
- g. Representative from the Education Directorate (Regional) if the child is of mandatory school age;
- h. Health professional, either the family doctor or a specialist that has examined or assessed the child;
- i. Representative from the Economic Aid Office of the local government unit, if the family does receive financial assistance or is eligible to do so;
- j. Representative of the Mayor's office or Head of Commune where the family lives;
- k. Technical Anti-trafficking Team if the allegations of risk are associated with trafficking;
- l. Any specialist that has been acquainted with the child or can speak about an issue that is of concern regarding the child, e.g. Blood Feud, eating disorder, learning disability;
- m. NGO that may be assisting or could potentially assist the child or family with a problem.

If a key professional or member of the Child Protection Meeting, cannot attend on the proposed date then the Supervisor and Child Protection Worker should consider changing the date, but alternatively the professional can provide a written report to be read out at the Child Protection Meeting.³¹

The Child Protection Meeting will have an acknowledged format, followed in all Child Protection Meetings to ensure that all areas of the child's life, development and needs, parents or carers abilities and the family environment are discussed and that every person attending has the opportunity to provide his/her professional opinion.

The child and/or parents or guardians should be active participants of the Child Protection Meeting. For this process to be meaningful and for the child and/or parents to feel comfortable and able to put their views and information forward, **the Child Protection Worker must ensure that participants are prepared before the Child Protection Meeting.**

³⁰ Appendix 10

³¹ Please refer to Appendix 13 for an invitation format and Appendix 14 for an Information Sheet to accompany the invitation letter for invitees to the Child Protection Meeting.

It is the role of the Child Protection Worker that prior to the Child Protection Meeting they fully prepare the child and/or family members with:

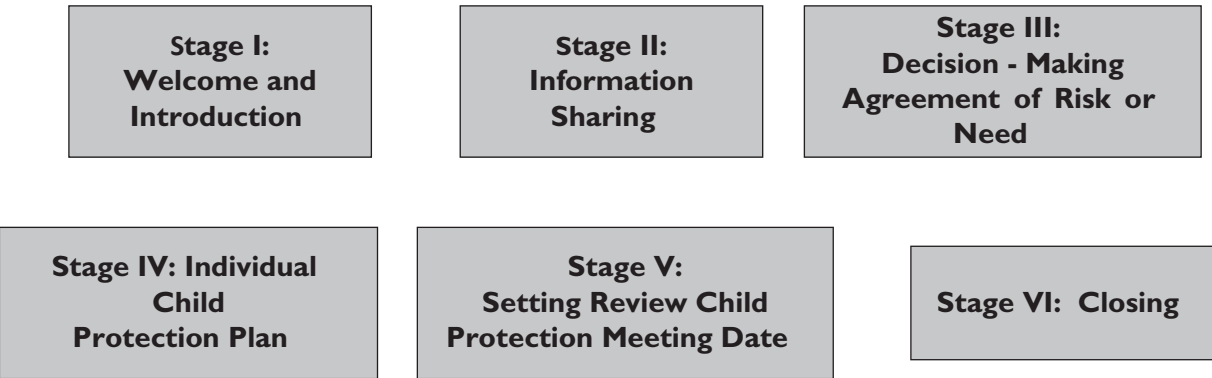
- a. information on the process and reasons (allegations of abuse, neglect or exploitation) for calling a Child Protection Meeting and
- b. the findings of the assessment undertaken by the Child Protection Worker.

There should be no surprises or new allegations made in the Child Protection Meeting about the child or family regarding the type of concerns the Child Protection Worker has nor the level of risk posed to the child. The Child Protection Worker has to develop a trusting working relationship with the child and family if they are to be able to continue working and implementing the proposed Individual Child Protection Plan.

No action or piece of work should be included for the child or parents in the Individual Child Protection Plan, if they do not fully agree or do not understand the relevance of this and it will not directly reduce the level of risk of harm to the child.

An example of this may include: mother to seek family planning advice in order that no more children are born adding to the poverty and stress levels of the family

8.3 Format of a Child Protection Meeting



First Stage: Welcome and Introduction

- a. Welcome by the Chairperson, mainly by Child Protection Worker;
- b. Introductions of all the persons present;
- c. Apologies from those people invited but unable to attend.

Second Stage: Information Sharing

- a. Introduction by the Child Protection Worker for the reason for calling the conference, i.e. the allegations of risk, harm or neglect and the summary of his/her Child Protection Worker’s Assessment Report;
- b. Request to all the participants, including the child and/or parents, to provide any information relevant to the child and family’s situation and concerns raised by the Child Protection Worker;
- c. Child and/or the family members asked if they have anything to add following hearing the information from the others present.

Third Stage: Decision-Making Agreement of Risk or Need

Participants are asked to determine whether they believe there is a level of risk or need to the child. The Chairperson will remind them of issues that were raised during the Information Sharing part of the Child Protection Meeting.

Fourth Stage: Individual Child Protection Plan

The Individual Child Protection Plan should be decided. The child and family members must be included in this. If an action is made and the child or the family cannot comply or do not agree to it, then the action will fail.

Remember that we should work in cooperation and partnership with the child and family and not expect them to do something that is totally against their beliefs or abilities or comprehension.³² If any person present does not agree with the type of risk or need then his/her views must be recorded onto the Child Protection Meeting Form.

Fifth Stage: Setting Review Child Protection Meeting Date

Set a review date for all the relevant participants of the Child Protection Meeting to come together to review the child's situation and effectiveness of the Individual Child Protection Plan. A Review Child Protection Meeting should be held at a minimum of at least once in three months.

Sixth Stage: Closing

The Chairperson will thank everyone for participating and will close the Child Protection Meeting.

Minutes of the Child Protection Meeting must be taken to ensure that issues raised and the decisions made are recorded and filed on the child's individual file. Copies of the Individual Child Protection Plan will be provided by the Child Protection Worker to all relevant participants at the Child Protection Meeting and the child and/or family members.³³

8.4 Determining the Level of Risk

Once all the information has been gathered together, and this includes reports and assessments by independent specialists or professionals, the Child Protection Worker must add the information into his/her Child Protection Worker's Assessment Report.³⁴

All decisions regarding the level of risk or to determine if the child is in need, **should be made using the information and not by intuition or hearsay**. Therefore, using the Child Protection Worker's Assessment Report and other reports provided by other professionals, the Child Protection Worker can complete the Risk Indicator Form which forms part of the Child Protection Worker's Assessment Report.

The level of risk of need, abuse, neglect, abandonment, trafficking or exploitation should be agreed upon by the members of the Child Protection Meeting. As the members have different professional expertise, their combined knowledge and resources will ensure the best possible outcome for the child.

The level of risk has been formulated into four levels. These will assist the professionals to consider the information gathered in the assessment and the level of response required to provide protection or meet the needs of the child. As many cases of child protection may be complex and multi-faceted it is important that the most pressing and urgent issues are considered the priority for intervention.

³² Please refer to Appendix 16 for "Individual Child Protection Plan Format".

³³ Please refer to Chapter 13, Appendix 15.

³⁴ Please refer to Chapter 13, Appendix 10

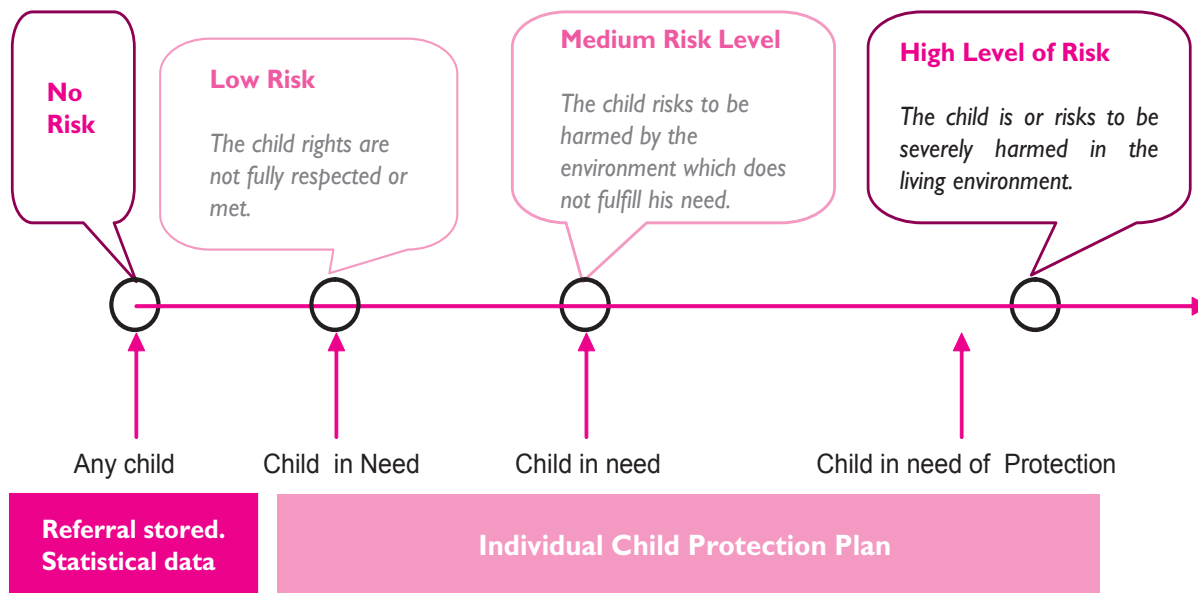


Fig. Level of Risk or Need

1- High Risk

At this level the child might be at risk:

- to be seriously harmed or injured,
- subjected to immediate and ongoing sexual abuse,
- be permanently disabled,
- trafficked,
- die if left in his/her present circumstances without protective intervention.

2- Medium Risk

A child is likely to suffer some degree of harm if he or she remains in the home without an effective protective intervention plan. Intervention is warranted, however, there is no evidence that the child is at risk of imminent serious injury or death.

3- Low Risk

The home is safe for the child. However, there are concerns about the potential for a child to be at risk if services are not provided to prevent the need for protective intervention.

4- No Action Required

The carers or environment is safe for children and there are no indications of potential risks to a child. These cases will occur and will be reported to the Child Protection Unit and should not be discouraged.

No Action can be an assessment decision. At the minimum an assessment report should be completed and the decision not to take further action agreed by the Child Protection Worker's Supervisor if it is not agreed at a Child Protection Meeting.

8.5 Examples of Children at Risk or in Need:

Example 1:

An example would be the case of a child raped by his/her father. This would be considered as at high level of further risk as the child has been physically, sexually and emotionally harmed/abused by his/her father who is presumed to protect the child. This leaves the child at immediate risk if the father cannot be removed from the home or members of the family cannot systematically and continuously protect the child from further abuse by his/her father.

This child is at risk and would be a subject of many forms of abuse; physical, sexual and emotional and this potentially has the effect of undermining his/her self confidence, ability to achieve academically or to make ongoing stable relationships as a child and as an adult.

The immediate need for this child is protection from further abuse from the father and the assessment of his/her mother or other family members to provide adequate care to meet his/her needs. The potential carers must be able to accept that this child has been sexually abused by the father and that the child was not complicit or guilty of 'leading' the father on. The responsibility for sexually abusing a child lies fully with the adult.

Example 2:

Monika is a 12-year-old girl who does not attend school regularly. Monika does not talk and knows nothing about the whereabouts of her father who went abroad 4 years ago. She lives alone with her mother.

There are suspicions that her mother is a prostitute and takes her customers home. Monika is badly dressed when she goes to school and her clothes are shabby.

Yesterday, during class, the teacher sent Monika out because she was wriggling and unable to sit still at her desk. The pupils were surprised to see Monika limping as if she was in pain when walking, as she had never walked this way previously.

The teacher decided to talk to the Child Protection Worker at the Child Protection Unit. The Child Protection Worker, schoolteacher, police inspector and neighborhood doctor assessed Monika and her family's situation and gathered information, which led them to decide that:

- a. Monika had been sexually abused (high level of risk) at home by a man that her mother had brought into the house. As many men are brought into the home the likelihood of further abuse is high, if Monika's mother cannot protect her.
 - Monika has problems with school attendance (medium level of risk if left to continue for a long time).
 - Her family has economic difficulties as the only financial resources are money gained by her mother from prostitution (low level of risk as parent/carer is unable to meet the child's basic needs).

This child would be classed at high level of risk of being sexually or physically abused by her mother's customers if they continued to be brought into the home.

Following the decision that there is a level of risk to Monika, the Child Protection Meeting participants will compile the Individual Child Protection Plan including: what they determine is the priority problem, what the most urgent need is for Monika, the required responses and the assistance to be provided to protect Monika from further harm or abuse.

The Child Protection Meeting would need to consider if Monika needs to be removed from the care of her mother or if by working with her mother and the provision of services, her mother can protect Monika from further abuse and care appropriately for her.

Example 3:

Arben is 11-years-old and lives in the suburbs of the main town in Durrës. The neighborhood has become inhabited over the last ten years and the majority of the people living there belong to an ethnic minority group. Only Arben's father works, but his employment is not secure.

Arben has never been to school. His friends either do not attend school regularly or do not go at all. To go to the local school the children have to cross a busy highway and many parents are worried about their children crossing it. The majority of the pupils in the school classes belong to majority ethnic group. For many years, the community has been asking the local administration to build a school in their community, so that their children have access to education and are not at risk of harm from crossing the road. The request has been refused by the local administration with the reason that the community does not fulfill the criteria for opening a new school as there are an insufficient number of school-aged children. In order to put pressure on the local administration, parents have pressured their children not to go to school leaving many children, such as Arben, illiterate.

This case is one of abuse as the parents of Arben are not meeting his needs to education. In addition, they are using the child as a means of putting pressure onto the local administration which is negatively affecting his future and his development. This would be a case that needs the assistance of the Child Protection Unit in order that Arben's right to access an education and to develop his intellectual ability is met. The Child Protection Worker would potentially not only work with Arben's family since there are many children in a similar situation.

The Child Protection Worker could also undertake some awareness raising campaigns with the community as a whole on the importance of education to their children. In addition, the Child Protection Worker could advocate with the local administration for a person to be present to escort the children over the busy highway at school beginning and finishing times, or to build an over crossing lessening the risks to them of the fast traffic.

CHAPTER 9

INDIVIDUAL CHILD PROTECTION PLAN AND COORDINATION OF ACTIONS

The Individual Child Protection Plan will be agreed within the Child Protection Meeting.

While drafting the Individual Child Protection Plan the following should be always considered:

- a. The best interest of the child;
- b. Respect for the child and his/her family members;
- c. The child and his/her parents or guardians should be well-informed and participate in the decision-making and the types of intervention and work agreed;
- d. Consultation and collaboration with service providers and other professionals to meet the rights of the child;
- e. Respect the cultural and traditional values of the child and his/her family, but not if this places the child at risk;
- f. The importance of maintaining the child in the family and ensuring/building good relationships;
- g. Avoid duplication of intervention by numerous organizations to one family.

The plan of intervention and support for the child and his/her family will be developed taking into account:

- a. child's age,
- b. stage of development,
- c. assessed needs and the form of child protection the child needs,
- d. the resources available within the child's community and location and if required specialist services found nationally.

The Individual Child Protection Plan will cover a maximum of three months and will be reviewed at a date set at the Child Protection Meeting.

The Review Child Protection Meeting can be brought forward if:

- a. the child or family's situation changes dramatically;
- b. the risk to the child increases; or
- c. the child or the family members do not cooperate with the agreed plan.

Some reasons for bringing the Review Child Protection Meeting forward could include:

the child is physically harmed, the child does not attend school and is seen begging on the street or the alleged abuser returns to the child's home placing the child at immediate risk of further abuse, or the family does not cooperate with the agreed actions of the Individual Child Protection Plan.

A copy of the Individual Child Protection Plan will be given to the child, the parents or

guardians, and the relevant professionals or organizations involved in the Individual Child Protection Plan.

It is the responsibility of each person named in the Individual Child Protection Plan that they complete the tasks assigned to them or discuss any difficulties or challenges with the Child Protection Worker at the earliest opportunity.

The Child Protection Worker will monitor the activities and work as outlined in the Individual Child Protection Plan and will record the work, as it is undertaken and completed. For those pieces of work that are delayed or uncompleted, the Child Protection Worker will discuss with the person responsible or the organization to ascertain the reasons why they have not been accomplished by the deadlines set. It is important that the deadlines are kept to as each piece of work is frequently linked to the subsequent action. Failure to complete one step will mean the next step is unable to begin and therefore will have an impact on the successful outcome of the Individual Child Protection Plan.

In addition to monitoring the activities of other services, the Child Protection Worker will make regular home visits as part of the Individual Child Protection Plan to ensure the child and family members are active participants in the protection work and that there are no changes in the child's or family's circumstances that need him/her to call an earlier Review Child Protection Meeting.

The child should be spoken to on his/her own, as well as any of the adults or siblings that the Child Protection Worker deems necessary according to the Individual Child Protection Plan. The child and/or family interactions also need to be observed to ensure that the family relationships are working positively.

It is important that the Child Protection Worker makes records in date order and are completed on a computer where possible, which will allow the notes to be clearly read and understood by other Child Protection Unit staff. The records must be factual and distinguished between information gathered, observations and the analysis or opinions of the Child Protection Worker.³⁵

9.1 Core Child Protection Meetings

When there is an immediate risk to the safety or welfare of the child, it will be necessary to call an urgent Core Child Protection Meeting. The decision to call a Core Child Protection Meeting will be made by the Child Protection Worker's supervisor on the discussion and initial assessment data available, given to him/her by the Child Protection Worker.

The decision to call a Core Child Protection Meeting will be made where there is immediate and absolute certainty that there is a high level of risk to the child:

- a. he/she is at risk of severe injury, death;
- b. about to be trafficked outside the country;
- c. his/her physical condition will be adversely affected by delay (e.g. a child will suffer from hypothermia if not provided with shelter and clothes); or
- d. the parents or carers are not able or willing to protect the child.

As urgent decisions need to be made a small group of essential professionals needs to be gathered together to make immediate decisions and take steps to protect the child. The following persons or organizations should be invited to participate:

³⁵ Please refer to Chapter 13, Appendix 11 for an example of a Recording Sheet

- a. Mayor of Municipality or Head of Commune;
- b. Police;
- c. Head of the Economic Aid Office;
- d. Health professional;
- e. Lawyer in public child care law;
- f. Anti-trafficking office representative (if the case is about trafficking);
- g. Child if old enough and parents/carers or family member (if they are not the alleged abusers).

The Child Protection Worker when inviting the representatives must inform them that this is a Core Child Protection Meeting and the matter is urgent and cannot be delayed to another day.

The procedure for a Core Child Protection Meeting is the same as for a Child Protection Meeting,³⁶ but **the Individual Child Protection Plan will consist of only the initial and most urgent steps to ensure the immediate protection and safety of the child.**

Following the steps to ensure the child's safety a Child Protection Meeting will be convened in the normal manner, where the Child Protection Worker will undertake a full assessment of:

- a. the child and his/her parent(s)/carer,
- b. the family and environment where the child lives.

9.2 Actions that can be part of an Individual Child Protection Plan

The Individual Child Protection Plan will include all the actions and work to be undertaken during the three-month period of intervention. The work and actions should have a direct affect on reducing the levels of risk or need of the individual child.

The participants to the Individual Child Protection Plan are:

- a. the child, his/her parents or family members,
- b. the Child Protection Worker, and
- c. other professionals or organizations as deemed essential in the Child Protection Meeting.

Each action must have a direct link to an area of the child's development or welfare or support the child's parents to ensure the child's rights and/or overall developmental welfare. For each action, there will be a dedicated state authority/organization or person responsible to fulfill the actions stated.

Examples of actions that can protect a child and assist the parents/carers in the appropriate care for him/her could include:

- a. Applying and receiving a birth certificate for a child;
- b. Enrolment and ensuring daily attendance of a child at school;
- c. Regular medical check-ups - if a child has a medical condition and needs to take daily medication e.g. diabetes, epilepsy, asthma;
- d. Securing the provision of a wheelchair - if a child has a mobility disability;
- e. Advice and support to a parent to secure employment;
- f. Working with a NGO to provide support or activities for the child and/or parents;
- g. Information on the financial aid and welfare benefits the family is eligible for;
- h. Attendance at parenting classes for parents of a newborn child or difficult adolescent.

9.3 Child Protection Worker's Role in Supporting the Child and the Family.

The Child Protection Worker works with a child and the family on issues defined within the Individual Child Protection Plan.

Among these forms we can mention that **Family Visits** should be made on a regular basis and be pre-arranged to ensure the welfare and safety of the child. For each visit the Child Protection Worker should have a defined reason and an objective to achieve.

It is advisable on each visit to see the child and to have a one to one conversation with the child, to listen to the child's point of view of the situation, for example, what has he/she been doing, has anything changed in the child's routine or has something good happened? In some situations, it may be better to see the child at school if this would allow the child a more favorable venue to discuss issues with the Child Protection Worker.

The family visit also allows the Child Protection Worker to observe the relationships within the family, to see if improvements or changes have been made in the home, if these were planned in the Individual Child Protection Plan. Home visits allow the Child Protection Worker to have discussions with individual members or have group discussion to air and work through issues that affect the care or welfare of the child or adult relationships difficulties.

The Child Protection Worker within his/her family visits will assess the child's growth, welfare and development. To be able to do this the Child Protection Worker will need to have a basic understanding and knowledge of the stages of child development and to have noted within the initial assessment the child's abilities and skills.³⁷

A Family Visit allows:

- The family to be observed in their natural environment;
- Observation of the types of relations or conflicts there are among the various family members;
- Observe the children's behaviour;
- Observation or assessment of one member who is scape-goated or viewed negatively;
- Asses improvements in the household conditions;
- Although the home is an informal setting, the Child Protection Worker is there in a professional capacity and should maintain this;
- Discussion around issues that are important to the family members, but the Child Protection Worker should empower the family to come to their own ways of working out their problems;
- For joint visits of professionals to address issues together, for example the enrollment of a child into school or vaccinations for young babies;
- For joint visits if it is assessed that there is a risk to the welfare of the child and the family will not come to the Child Protection Unit.

³⁷ Please refer to Chapter 13, Appendix 4 "Stages of Child Development"

9.4 Support for Attending Meetings

The Child Protection Worker may also accompany members of the family to other services or authorities/organizations, if the adult or child needs support to seek advice or treatment. The Child Protection Worker can offer this support initially but should ensure that the parent or adult becomes empowered to make these meetings on his/her own. It is important that the Child Protection Worker empowers and builds up the skills and capacities of the family members so that they feel confident to tackle similar activities on their own.

9.5 Advocating for the Child and/or Family

The Child Protection Worker may undertake an advocacy role for the child or a member of the family; an example of this would be where an application has been made for economic aid and the municipality or commune has turned this application down. The Child Protection Worker can, on behalf of the family, advocate for this application/decision to be reviewed for the protection of the child at risk.

In addition, the Child Protection Worker can also support the child and/or family by referring the child to another NGO or authority/organization for support or to be included in activities that will help in the socialization of the child and/or family.

9.6 Community - Based Support Services

The Child Protection Worker and the Individual Child Protection Plan aims to protect the child from harm, exploitation or neglect by means of providing a mix of support and services that are available within the child's community. The role of the Child Protection Worker includes the coordination of the available services that will meet the needs and rights of the child as stated in the Individual Child Protection Plan.

The needs of the child and/or the individual family members will be different, so it requires the Child Protection Worker to refer the child and/or the family to different NGOs or authorities/organizations or local government departments that will meet the identified needs.

Before the Child Protection Worker makes a referral to another organization he/she should discuss with the child and/or family the type of services that the authority/organization provides and why he or she believes that they will be able to assist the child and/or family. Agreement to the referral being made should be given by the child and/or the parent or family.

Therefore, it is necessary for the Child Protection Worker to be familiar with state authorities/organizations and local government departments within his/her municipality or commune. The mapping of services, which every Child Protection Unit should have, needs to be updated on a regular basis to keep the information correct and useful.

9.7 Child Protection Coordination of Child Protection Activities

The Individual Child Protection Plan should aim to both protect the child and also to improve the parenting capacity and understanding of a child's rights and needs by the parents or carers. In accordance with the UN Convention on the Rights of the Child, the Child Protection Worker and the

other authorities/organizations should aim to maintain a child in his/her family where it is safe to do so.

The removal of a child from the parents and/ or family should only be considered when:

- a. all attempts have been tried to support the parents to care for the child appropriately and this has failed due to either the inability or unwillingness of the parents to improve their care; or
- b. the risks to the child continues to be very high therefore having a detrimental effect on the child's development, health or overall welfare.³⁸

Children should not be separated from their parents unless it is for their own good (in cases of mistreatment, neglect etc).

CHAPTER 10

DECISIONS AND ACTIONS FOR THE IMPLEMENTATION OF THE INDIVIDUAL PLAN

10.1 Decision to remove a child from his/her parents/ family

Where the assessed situation of a child has led the Child Protection Meeting members to decide that the child is at immediate and at high risk of being harmed or abused then they need to decide on an appropriate intervention that will provide immediate safety for the child.

As stated above the removal of a child from his/her parents should be only taken when all other forms of support, advice and assistance have failed to improve the caring and parenting by the parents to the child. In a limited number of cases, the immediate assessed level of risk may be too high at the time of the referral or at the Child Protection Meeting that the decision is taken to apply to the Court for the removal of the child immediately.

In coming to this decision the Child Protection Worker, his/her supervisor and other members of the Child Protection Meeting must consider the following:

- a. What is the risk that is posed to this child?
- b. What are the factors that make the level of risk so high?
- c. Is the level of risk short or long term?
- d. How can the level of risk be reduced immediately?
- e. Can the person who poses the risk to the child be removed from the home or family?
- f. Who can support the care of the child within the home; what services can be provided in the home?
- g. Does the father/mother have the ability to care for the child on his/her own or is he/she willing to do this?
- h. Can the non-abusing parent and child be moved to a safer environment?
- i. Is there an older sibling that can provide a temporary home for the child?
- j. Are there any other family members (either on the fathers or mothers side) that can care for the child?
- k. Are there extended family members (in another village or town) that would be willing to care temporarily for the child?

If none of these alternatives are readily available then consideration has to be given to out of family care. Within Albania, there are currently limitations to the alternative forms of care outside of the family, however, according to the Family Code; consideration must be given to family forms of care before a child is referred to a center (shelter), residential centre, unit or institution.

The decision as to where the child can be placed lies within the jurisdiction of the court to which the application is made to remove the child from the parents or carers.

In accordance with the UN Convention on the Rights of the Child,³⁹ and the Family Code of the Republic of Albania the placement of a child in any form of residential care should be done only as the last resort and only for the shortest time possible. The reasons for this are many but particularly refer to the need for a child to be cared for in a family environment, to have an individual personal relationship with at least one consistent adult who puts the child's needs first, meets his/her needs, provides positive role models of family care and encourages the development of self-confidence, a sense of identity and of belonging.

All of these aspects are important so that when the child has his/her own children, he/she has a model of parenting to refer to, the positives of having family bonds and relationships, an understanding of their own family background and a supportive environment in which to bring up the children.

Potential alternative forms of family care for a child unable to remain with his/her family could possibly be:

- a. Foster care;
- b. Or if a permanent family is needed for the child, adoption.

10.2 Legal Procedures for the Removal of a Child from his/her Parents

Based on the law "On Measures against Violence in Family Relations", No. 9669, dated 18.12.2006, Article 13⁴⁰, within 48 hours the Child Protection Worker as a representative of the social service office must file a request to the court for a protection order, in addition to referring the child's case to the police. The Child Protection Worker will need to be able to provide the police with adequate information to support his/her belief that the child is being or is at a high risk of being harmed. Therefore, the Child Protection Worker's assessment needs to be thorough and recorded factually.

According to Article 23 of "On Measures against Violence in Family Relations", No. 9669, dated 18.12.2006, the Child Protection Worker can be appointed by the court to follow up and undertake the measures to protect the child as stated in the Protection Order.

Article 23, point 4 states that institutions, shelters, services centers and NPOs licensed to offer services shall implement measures established by the court decision and shall coordinate their actions with the local government authorities and police departments, which are the direct implementers of the decisions.

Under the Law "On Measures against Violence in Family Relations", No. 9669, the civil courts can issue protection measures for victims through a quick, affordable and simple procedure.

There are two types of Protection Orders:

³⁹ Articles 3 and 20

⁴⁰ Law "On measures against violence in family relations", No. 9669, dated 18.12.2006, Article 13, Point 2

Subjects who have the right to file a request for a Protection Order of a minor can be presented by:

c) representative of the office of social services of the municipality or commune, where the victim temporary or permanently resides, who are a caretaker informed on the abused;

Point 3, A request for an Immediate Protection Order can be presented by:

d) representative of the Office of Social Services of the Municipality or Commune, where the victim temporary or permanently resides, who are a caretaker informed on the abused;

10.3 A Protection Order -

Protection Order is a court order providing certain protection measures for the victims of family violence. The court shall issue the Protection Order if it finds that there is sufficient basis to believe that the perpetrator may commit an act of family violence or that issuance of the protection order is necessary to protect the security, health or well-being of the victim or related family members.

10.4 An Emergency Protection Order

An Emergency Protection Order is a temporary court order valid until a regular protection order is issued. It can be issued if the abuser presents a “direct and immediate threat to the security, health or well-being” of the victim or his/her family members. The court has only 48 hours to reach a decision after the presentation of a petition for such an order. The court will also set a date for the continuation or dismissal of the order within 20 days from its issuance.

Both orders enter into force immediately after issuance by the court and are valid regardless of whether the abuser has received notification.

If the victim of domestic violence is a child then the request for a Protection Order can be made by:

- a. The victim;
- b. The victim’s legal representative or attorney;
- c. The victim’s relatives;
- d. Representatives of the social services in the municipality/commune where the child lives temporarily or permanently, when they have knowledge of the violence perpetrated;
- e. Centers and Services for the Protection and Rehabilitation of Domestic Violence Victims recognized/ licensed by the Ministry of Labor, Social Affairs and Equal Opportunities.

The request for an Emergency Protection Order can be made by:

- a. The victim;
- b. The victim’s legal representative or attorney;
- c. The police or prosecutor;
- d. The family member of the victim;
- e. Representatives of the social services in the municipality or commune where the child lives temporarily or permanently, when they have knowledge of the violence perpetrated;
- f. Domestic violence victims or rehabilitation centers and services noted above.

A child can be removed from the family home also in the situation where the environment is dysfunctional, for example the parents have emigrated, one or both parents are dead, the child is born outside wedlock and the family of the mother does not accept the child; parents do not guarantee proper food and/ or proper minimal health care to their children. In these cases, when the Child Protection Worker has exhausted all possible means to improve the environment and care for the child, he/she can begin proceedings under Law No. 9355 “On Economic Aid and Social Services” and the by-laws in its application; assessing the child’s situation. Further, the Child Protection Worker convenes a Child Protection Meeting. If the Child Protection Meeting decides that in the best interest of the child, the child needs to be removed from the family home, the Child Protection Worker can request the assistance of a Prosecutor to apply for a Protection Order from the District Court.

When the District Court hears the request (within 15 days from the date the request is filed) and a Protection Order is granted, if this includes the need to remove the child from the family home, the Court will also decide where the child is to be placed or under whose custody the child will be made to reside. The Child Protection Worker will have responsibilities in the continuous role of protecting the child throughout the administrative and judicial process.

The Child Protection Worker will collaborate with the prosecutor and/or police in cases of child protection that are brought before a court. The Child Protection Worker does this within his/her role as a social worker of the municipality or commune where he/she is employed.

The Family Code, the law “On Measures Against Violence in Family Relations” and the law “On Economic Aid and Social Services”, requires the participation of the Social Administrator and/or the Child Protection Worker to act on behalf of the child in administrative or court processes related to civil cases, family cases, adoption and custody cases.

In the cases when the Child Protection Worker is employed and represents either the economic aid and/or social services of the local government unit; he/she will need to supply the court with documents regarding his/her employment and role as a Child Protection Worker, as well as the authorization issued by the respective institution for court representation.

It is important that whenever a child is moved from one family or environment to another that this is handled with the utmost care and interest of the child. Ideally, a Plan of Integration should be made, but in an emergency situation this is unlikely to be possible, nevertheless as much as possible should be done to provide the child with information.

The child and his/her family should have the following basic information:

- a. Reason why they are being moved or taken away from their parents/carers;
- b. Where they are going to live and with who (the names and relationships within the family);
- c. Information on when (days and times) they will see members of their family (parents, grandparents, sibling or other significant people in their lives). This is important for ensuring the continuance of family relationships and making the child feel safer that his/her family ties are not being completely broken;
- d. How they are going to be taken to school (the school should be maintained to provide some stability in the child’s life);
- e. How often and when the child Protection Worker will visit and see the child.

10.5 Placement with a Foster Family

Article 263 of the Law no 9062, dated 8.05.2003, “Family Code” defines the cases when a child is placed under foster care and is entitled to special protection by the government.

The child is placed under the protection of legal carer, when the parents of the child:

- a. are not capable of exercising their parental responsibilities,
- b. are dead or unknown,
- c. are declared as not found,
- d. parental responsibility is removed or are not eligible to act as such,
- e. or any other reason accepted by the court.

The Ministry of Labor, Social Affairs and Equal Opportunities has compiled a document of policies for the foster care service provision, adopted by the Decision of Council of Ministers No 1104, dated 30.07.2008 as part of the Social Protection Strategy. The document states clearly the steps to be taken for the placement of a child within a foster family.

According to the document, Child Protection Units as part of the Economic Aid and Disability Payment Office in the local government units, can identify on their own or gather requests from institutions, different agencies or individuals of the community for the placement of a child in foster care. These proposals are sent to the Multidisciplinary Foster Care Council set up at the municipality/commune,

which in turn checks and completes the file for each case and sends it to the court through the Economic Aid and Social Care Office. The Court is the sole institution, which takes the decision on the placement of the child with foster families.

Foster care service is new and will be applied for the first time in Albania. Therefore, this service will be piloted firstly in Tirana and Shkodra between 2008-2010.

After 2010, it is planned that a foster care service will be available within the entire country, following the guidance and legal regulations for its implementation and organisation. Moreover, the tasks of the Child Protection Units within the remit of a fostering service will have been better defined for providing this service.

10.6 Placement within a Residential Institution

The decision to place a child in a Residential Institution should be made as the last option available after all other opportunities for a child to live in a family environment have been exhausted.

Social care residential institutions are divided into public and private. Currently, except for the social care residential institution “Zyber Hallulli” in Tirana for children between 6-15 years old, local government units manage the other children public institutions. Private social care residential institutions are managed by private legal entities, NPOs, international organizations, private individuals or religious organizations.

The Child Protection Worker will need to have a list of the residential institutions operating in the local area and/or regionally, so that any recommendation that a child be placed in one is made that meets the needs of the child. This would be undertaken during the Child Protection Worker’s Mapping of Service Providers.⁴¹

It is advisable that the Child Protection Worker should personally have visited the local social care residential institutions, so that he/she knows the conditions and the services that are provided for children and the admissions procedures.

Child Protection Worker should know and ensure that the service provider is licensed by the MoLSAEO and provides children services according to the standards of service quality in residential institutions, so that the child is placed in an environment protected from any potential harm.⁴²

During this information and assessment process, **the Child Protection Worker collaborates with the Regional Directorate of State Social Service (inspectors of social care residential services)** as the responsible authority for the inspection of residential institutions and the application of quality service standards.

In collaboration with the Economic Aid Social Administrator in Municipality/Commune the Child Protection Worker will complete the documents for the child, provided by DCM No 209, dated 12.04.2006 and present the proposal for placing the child at a social care residential institution. The acceptance of a child in a public or private social residential institutions is made by a decision of the State Social Service General Directorate for the institutions under their authority and by a decision of the municipality/commune council for the social care institutions under their authority. The institution, where the child is going to be placed, starts the accommodation procedures according to the Family Code and Directive of the Ministry of Labor No 1934, dated 19.10.2007 “On accommodation procedures of the individuals in private or public social care residential institutions” soon after the decision is made.

⁴¹ Refer to Chapter 4, Point 4.5 on Mapping of Service Providers

⁴² Refer to the Social Service Standards in Residential Institutions, adopted by DCM No 659, dated 17.10.2005

10.7 Child Protection Reviewing Meeting

In accordance with the UNCRC Article 25, each child that is cared for outside of his/her birth family has a right to have his/her situation reviewed on a regular basis. Research has shown that child protection cases that are not reviewed on a regular statutory period often results in the child's case stagnating and effective work not taking place. **Therefore, it is advised that at a minimum of three months each Individual Child Protection Plan should be reviewed.**

Due to the need to hold multi-disciplinary Review Child Protection Meetings it is advisable to set the date and time for the quarterly "Review Child Protection Meeting" at the Child Protection Meeting.⁴³ This allows the participants to book the date into their diaries and should prevent the Review Child Protection Meeting being delayed due to participants not being able to make the date. The Child Protection Worker can remind the participants a week in advance of the due date to ensure that everyone required can attend.

Each Review Child Protection Meeting should address both the work that has been undertaken over the three month period and also to look at the developmental areas and progress of the child. The Review Child Protection Meeting is not for the reassessment of the child or family, but to build on the information already known and to review the progress of what has been done over the three-month period.

The Review Child Protection Meeting should be managed in five stages:

- Welcome and Introductions;
- Update and Information Sharing;
- Evaluating if the child is at risk or in need;
- Decision and Revised Individual Child Protection Plan (if required);
- Set next Review Child Protection Meeting date.

As with the Child Protection Meeting, the participation of the child and the parents or carers is important, as long as it does not conflict the best interest of the child. The Child Protection Worker should prepare the child and/or the parents as to the format of the Review Child Protection Meeting and the report that he/she will share in the meeting.

The Child Protection Worker should compile a report that records the main actions that have been completed or progressed as defined in the Individual Child Protection Plan, for sharing with the participants at the Review Child Protection Meeting. The impact of the actions should be noted as to how it has reduced (or not) the level of risk to the child.

An example of this would be:

Action: "Ervis to be enrolled in the elementary school in his village."

The Child Protection Worker will write in the Review Report; "Ervis was enrolled into Edith Durham Elementary School on 15th September 2007. He has regularly attended school and has only missed 3 days in January 2008 due to having the flu.

Ervis' teacher, Mrs. Kurti reports that Ervis is very attentive in class; he has mastered writing the letters of the alphabet, can add and subtract numbers up to 20; he has made several friendships with boys within his class and he is well behaved."

Each participant that is invited to attend the Review Child Protection Meeting should have implemented part of the Individual Child Protection Plan and should be able to report on the work that has been done and his/her view on the need for this work to continue or if it has been completed and has accomplished its desired effect.

⁴³ See Chapter 8, Paragraph 8.2

Stage - 1 Welcome and Introductions

The Chairperson of the meeting will ask everyone to introduce themselves including the child and/or members of the family if present.

Any apologies from persons unable to attend will be noted.

Stage - 2 Update and Information Sharing

The Child Protection Worker will share his/her report with the participants highlighting the activities that were defined in the Individual Child Protection Plan.

Any actions or work that was planned but has not been completed should be noted with the reason why this has not been accomplished.

Each participant will inform the Review Child Protection Meeting of the actions or work that his/her organization has undertaken with either the child and/or the family members. In addition, they should highlight how the child and/or the family has participated, to include attendance, motivation, and level of participation and if the behavior of the child and/or the family has changed.

If additional or unplanned activities have taken place these should be included in the information sharing.

Stage 3 - Evaluating if the Child is At Risk or in Need

In this part of the Review Child Protection Meeting participants should look at all areas of the child's development and welfare and if any risks still remain to the child's rights, needs or welfare.

It is anticipated that if the actions outlined in the Individual Child Protection Plan were aimed effectively at the causes of the risks to the child's development or welfare, then there should be a reduction in the level of risk remaining to the child.

If new problems related to the child and/or his/her family, have come to light these need to be stated so that an evaluation can be made on the effects, risks or needs of the child.

Stage 4 - Decision Making and Revised Individual Child Protection Plan

At this stage of the Review Child Protection Meeting, the participants should make their decision as to whether or not there is any risk of abuse, neglect or exploitation remaining to the child. As in the Child Protection Meeting, each participant should be asked on his/her opinion as to what the risk or need is and what the level of risk is.

If there is agreement that there is no longer a need for child protection services then this needs to be recorded as the decision of the Review Child Protection Meeting. The reasons for this must be recorded.

Where there is a remaining risk or need then a revised Individual Child Protection Plan should be devised.⁴⁴

Within the revised Individual Child Protection Plan, there may be a need to invite new organizations or specialized services to meet the newly assessed needs of the child and/or family members and the Child Protection Worker will need to contact them to make a referral regarding the child or family. Under these circumstances, the Child Protection Worker will need to provide them with information regarding the risks, needs or concerns regarding the child and/or family.

⁴⁴ Please refer to the Individual Child Protection Plan, Appendix 16

Any person present who does not agree with the level/type of risk or need will have his/her comments recorded on the Review Child Protection Meeting Form.

Stage 5

The Chairperson will thank everyone for participating in the Review Child Protection Meeting and a date in three months time will be set for the next Review Child Protection Meeting.

10.8 Closing Child Protection Cases

There are two reasons why a Child Protection Case will be closed:

1. When the child and his/her family moves into the jurisdiction of another Child Protection Unit and
2. When the child is no longer deemed to be at risk or in need so the case can be closed.

1. Child Moves to another Location

If the child moves out of the municipality or commune in which the Child Protection Unit is responsible for, then the Child Protection Worker must inform the Child Protection Unit of the new location that there were concerns regarding the child's welfare and that there was an Individual Child Protection Plan in place.

The Child Protection Worker will provide the basic information to the new Child Protection Unit, so that they can undertake an assessment of the child and his/her family's new circumstances.⁴⁵ The Child Protection Worker in the new Child Protection Unit should acknowledge receipt of the referral within 5 working days.

Following the new Child Protection Worker undertaking an assessment of the child and his/her family's new situation a Child Protection Meeting should be arranged. The child's previous Child Protection Worker should be invited to attend the Child Protection Meeting and to share the background information and work that has been undertaken prior to the child and family moving out of his/her area.

At this point the responsibility for protecting the child is transferred from one Child Protection Unit to the new one in which the child now resides. The Child Protection Worker will write his/her Closing Report for the file. The old Child Protection Case file can then be closed and archived.

2. Child is no longer deemed to be at risk or in need

The closure of a child protection case is just as an important piece of work as the initial stages of the case.

Cases should not be closed without the agreement of a Review Child Protection Meeting where all aspects of the child's situation and the levels of risk to the child are reviewed. **The decision to close a child protection case is a multi-disciplinary decision and should not be done by the Child Protection Worker on his/her own.**

The decision to close the child protection case must record the reasons for the decision to close on the Review Child Protection Meeting Form.⁴⁶

If there are any elements of risk or the rights of a child are not being met then the case cannot be closed and further work is required.

The Child Protection Worker must inform the child and family of the decision to close the case. This should be viewed as a very positive situation for the child and his/her family. The child and his/her family are to be informed by the Child Protection Worker that if in the future they need further assistance they can refer themselves to the Child Protection Unit.

The last action of the Child Protection Worker is to write a closing report for the child's file⁴⁷, where the following should be included:

- a. The reason for the initial referral of the child to the Child Protection Unit;
- b. The type and level of risk to the child;
- c. The actions taken;
- d. The situation of the child at the time of closing the case, e.g. risks have been reduced or resolved or the child has moved from the area and another Child Protection Unit is responsible for the child's protection;
- e. The services or organizations assisting the child and/or family when the case is closed.

⁴⁵ Please refer to Appendix 19, Referral from Child Protection Unit to Child Protection Unit

⁴⁶ Refer to Appendix 18

⁴⁷ Please refer to Appendix 20 "Child Protection Case Closure Report"

CHAPTER 11

COLLECTING STATISTICS AND PREPARING REPORTS

Child Protection Workers are employees of the local government authorities and as such are required to assist in the process of gathering statistical data on the children and/or families that live within their geographical area.

The data gathered can be both general and specific to the work of the Child Protection Units, e.g. vulnerable groups, child protection cases etc.

11.1 Database System

Within the Child Protection Unit a computerized database system for gathering data about case management of child protection cases and for the provision of statistics is being developed. The Child Protection Worker in the Commune/Municipality will be its system administrator.

The data collected will aid the monitoring of individual cases and also provide information on the number and types of cases that are presented to the Child Protection Unit.

Therefore it is very important that every enquiry to the Child Protection Unit is registered even when it does not result in an initial assessment or Child Protection Meeting.

The time taken by each Child Protection Worker to provide information or decide if a case is eligible for assistance or support by the Child Protection Unit is work and time consuming, so it must be recorded as an enquiry that resulted in either no further action or referred onto a more appropriate organization.

Information received from enquiries and the types of cases dealt with will provide additional data as to the socio-cultural context of the community and the needs of the community particularly children and families. This information can be used to propose new projects or services to alleviate poverty, need or specific difficulties faced by communities or sectors of the community.

The statistical data produced by the Child Protection Worker belongs to the Child Protection Unit, The Economic Aid Office, the Municipality or Commune in which the Child Protection Unit is situated in and the Regional State Social Services.

The data gathered by the Child Protection Unit in municipality/commune, will be sent to other structures at regional/central level, in the format and according to the requirements defined in the legal acts and by-laws in effect.

As the statistical data will be used within many published reports it is important that no identifying information is recorded in the statistics. **The Child Protection Worker is responsible for safeguarding the confidentiality of the children and families that receive or have sought assistance from the Child Protection Unit. No personal information regarding children such as names, addresses or photos will be used in the reports.**

1.1.2 Monthly Reports of Child Protection Cases

Each month the Child Protection Worker will compile a report on the:

- a) Cases that he/she is working on;
- b) Number of new enquiries in that month;
- c) Number of assessments begun and completed;
- d) Types of risks that are recorded at Child Protection Meetings in the month;
- e) Number of Child Protection Meetings held;
- f) Number of Review Child Protection Meetings held;
- g) Number of cases closed or transferred to another Child Protection Unit.

The statistics will be disaggregated into gender, ethnicity and different age groups.

1.1.3 Quarterly Reporting

Periodic data are up-dated every three months and together with a synopsis are presented to the Regional State Social Services Directory.

The Child Protection Worker will collect periodic data on:

Demographic Issues

The Civil Status Office provides a good source of relevant data related to the registered birth, deaths, marriages and divorces within the local area. The Civil Status Office prepares monthly generic demographic facts which are submitted to the INSTAT and Prefectures. Offices of Economic Aid and Social Care in the municipalities and communes also receive these data.

The Child Protection Worker will use these statistical data as a basis for his/her reports. Once an initial report is prepared, the Child Protection Worker will need to update this every 3 months.

Sources of information that can assist the Child Protection Worker in collecting and collating his/her data can be the local administrators.

For example:

a. Regional Education Directorate Administrators will be able to show the levels of children attending mandatory schooling, number of children enrolled at the beginning of the academic school year and again the number of children attending school at the end of the academic school year.

Ideally children who have not attended school for some time should have been reported to the School Psychologist for follow up and assistance to return them to school. Then, the Psychologist refers children or families with complex problems to the Child Protection Workers to be assisted at the Municipality/Commune level.

b. Health departments will be able to provide data on the number of children vaccinated and particular illnesses affecting groups of children at particular times or drug or alcohol dependent persons.

c. The police or Prosecutors' Office can provide information on the number of children in conflict with the law.

Child Protection Unit Report

Using the data collected through statistics and reports from local administrators and the data in the Child Protection Unit, the Child Protection Worker will compile his/her three monthly report.

The report will present the situation of the children in the territory of the municipality or commune where the following data will be included:

- a. The percentage of children divided into gender, ethnicity and age groups out of the total number of the population as well as the average number of persons in the families. The data will show the growth or decline in growth trends in the population compared to the previous period.
- b. The number of vulnerable children compared to the total number of children in the community. The data will be divided by gender, age, ethnicity and type of vulnerability. Increases or decreases in the number of vulnerable children will be compared from each reporting period. New trends or concerns will be highlighted.

The Child Protection Worker can use the statistics to suggest recommendations on the capability of the community to provide relevant services for the vulnerable children according to their needs. For example the increase in the birth rate and the lack of nursery school provision in the area or the high number of children dropping out of school and the need to heighten parents' awareness of the need for children to attend school for a minimum of nine years.

CHAPTER 12

CHILD PROTECTION POLICIES AND PROCEDURES (CPPP) IN MUNICIPALITIES/COMMUNES

12.1 Scope of Child protection policies and procedures

Child abuse in all its forms is unacceptable for any person, department or Municipalities/Communes responsible for child protection. It is recommended that the Child Protection Worker, his/her superior or other employees in the Municipality/Commune, in the context of their work of child protection and child's right promotion should be familiar with and work in compliance with these procedures and policies.

Every Municipality/Commune shall refer to several principles, rules and procedures which aim to:

- a. instruct institutions how to keep children protected;**
- b. raise awareness in Municipalities/Communes about violence against children;**
- c. provide orientations to employees and others and determine expectations and reactions about violence against children problems and cases that have been prevented, raised, denounced;**
- d. minimize the risk of violence against children through procedures pertaining to the selection of employees and others;**
- e. promote the best practices and conduct as well as to identify the means to be better informed, to increase reporting and to react better to concerns related to child abuse.**

Furthermore, CPPP serves as a Protocol for the Child Protection Worker, their superiors and others in the way they should treat children and defines the procedures and expectations to be considered during their work.

CPPP defines the behaviors that are considered as unacceptable towards children. **However, it should be highlighted that every Commune/Municipality has the right to adapt this Policy according to the needs and best practices.**

CPPP represents each Municipality/Communes professional expectations pertaining to employees and others, when they come into contact with children during their professional activities.

Children are at risk from various sources and it is the task of the employees and others to reduce this risk by opposing negative practices, in order to identify and minimize the risks that children are exposed to.

In the framework of their profession and considering the fact that the Municipality/ Commune supports child's rights, all employees and others who are in contact with children must:

- a. try to understand children in the context where they live;
- b. work with children with a cooperative spirit and partnership based on mutual trust and respect; work with children to identify their capabilities and capacities necessary for their development;
- c. treat children respectfully and recognize them as individuals with full rights;
- d. have a positive attitude and identify their needs as individuals in order to fulfill child's needs and rights;
- e. pay attention to children's ideas and consider them seriously.

12.2 Code of Conduct

The scope of the Code of Conduct is to support child's rights.

Municipality/Commune believes that children have the right to:

- a. be heard and their opinions to be considered seriously;
- b. be encouraged and assisted to participate in decisions pertaining to them;
- c. have their prosperity and development promoted in order to realize fully their potential;
- d. be considered as actors of their development giving priority to their health, security, well-being and their interests;
- e. be appreciated, respected, and understood in their context and culture, religion and ethnic origin; to see that their needs are identified and responded to, if possible within their family context.

In the context of their profession, all other employees, visitors or partners in contact with children MUST:

- a. provide children with the ability to react and promote child's rights;
- b. avoid situations that isolate children where it is impossible to observe the adult/child behavior, such as in cars, offices or homes.
- c. oppose bad practices and recognize potential situations which may lead to violent acts against children;
- d. promote an open minded culture, where questions and problems can be raised and discussed;
- e. organize sessions with children for awareness-raising in order to define what is acceptable or unacceptable behavior with adults;
- f. discuss with children topics that disturb them and explain to them how to identify problems;
- g. avoid compromising and/or delicate situations that may provoke accusations;
- h. make sure they are properly dressed in order to avoid negative situations or interpretations;
- i. be aware of the fact that when they touch a child by his/her hand although it can be done to calm him/her, this fact may be misinterpreted by observers or the child himself/herself;
- j. ensure the permanent presence of another adult, during walks/excursions or;
- k. if the child is present in his/her room at any time, the door must be open.

These employees or a third party in contact with the child MUST NOT:

- a. use any form of corporal "punishment" such as hitting, aggression or physical violence;
- b. perform any form of physical or sexual contact with the child;
- c. act in an abusive way or organize activities of this nature that expose children to any risk or violent act;
- d. have a violent discriminatory or exploitative attitude to the child;
- e. use foul language or act in a provocative or inappropriate physical or sexual manner;

- f. spend the night with a child other than his/her own without supervision;
- g. invite a child in his/her dwelling without supervision and formal authorization;
- h. perform for or together with the child personal care that they can do on their own, such as bathing, dressing or going to the toilet;
- i. ignore or take part in activities where the child's behaviour may lead to violent or illegal acts;
- j. offend, insult, humiliate or degrade the child;
- k. practice discrimination by providing favorable treatment to one child, for example through presents, money etc.
- l. spend too much time with a child on your own by keeping the child away from others;
- m. take degrading or pornographic images(photos, video etc.) which violate a child's dignity;
- n. make declarations in the media with regard to child protection, unless the Institution has given the permission for the information to be released to the media and has approved a press release.

12.3 Municipality/Commune involvement on child protection

Municipality/Commune have developed this Policy as a declaration with the intention of maintaining a child's wellbeing during the provision or offer of caring services. On one hand, this Policy will be for internal use, for communication and training purpose with its staff and on the other hand it will be for external use, for information and promoting child rights and child protection awareness.

Municipality/Commune involvement in child protection may be summarized as follows:

- a. **Prevention** – raising the awareness about violence against children and the risks that a child might face through implementing this Policy.
- b. **Protection** – reducing risks to children by assessing the potential risks posed by each position that involves contact with children and by acknowledging and understanding the concepts of violence against children.
- c. **Rehabilitation and integration** – identification of problems and informing the competent authorities on suspected cases, declarations, and testimonies about violence against children who have had contact within the Municipality/Commune and outside it; - knowing the measures to be taken and persons to contact where there are suspected cases related to child protection and appropriately supporting children with psychological, medical or legal assistance or services.

12.4 Directors role and duties

The direct duty of the Mayor of Municipalities or heads of Communes is to make sure that every individual who is in contact with children, independent of their status and role, should be obliged to complete a training on this Policy and Procedures. In cases of child abuse, it is the Mayor's or Head's responsibility to ensure that the internal system of reporting is functioning in order to protect all children. Simultaneously, they should decide on the appropriate measures necessary according to this Policy and its Procedures so that all cases are treated equally and in a systematic approach.

12.5 Partners

Municipality/Commune cooperates in partnership with other national or international, public or private organizations. These organizations have a legal and moral responsibility towards the children they assist or who participate in their activities. These partner organizations should be informed prior to any form

of cooperation that the Municipality/Commune has the legal obligation that in cases of any violence against a child that their funding, support or cooperation shall be withdrawn and that the Municipality/Commune will inform/report any form of concern/allegation to the competent authorities.

12.6 Volunteers and working groups (multi-disciplinary)

Volunteers and working groups in the Municipality/Commune may perform a great deal of child care assistance duties in institutions; however, they should not escape from their responsibilities towards children. Volunteers and Working groups should be informed that the Municipality/Commune has the legal obligation that in cases of child abuse, these individuals or groups will face an investigation that they will be asked to leave the institution and/or reported to the competent authorities.

12.7 Visitors

Many visitors visit the Municipality/Commune. These visitors may be colleagues, officials from the Municipality/Commune or other institutions, donors or different sponsors invited to participate in the activities organized by the Municipality/Commune (for example for the 1st of June). It is essential that these visitors know and understand the principles of Policy on child protection and it is the duty of the Mayors and Heads or the Child Protection Worker to ensure that they are informed on the obligations of this Policy. In cases of violence against a child, the Municipality/Commune has the legal obligation to exempt these individuals from the project and/or activity and to report the concerns/allegations to the competent authorities.

CHAPTER 13

Annexes

Appendix 1

Code of Ethics

The Social Work profession has also a Code of Ethics which professional social workers abide. The following is the preface to the key principles as stated by the International Federation of Social Work;

“Ethical awareness is a fundamental part of the professional practice of social workers. Their ability and commitment to act ethically is an essential aspect of the quality of the service offered to those who use social work services. The purpose of the work of International Association of Schools of Social Work (IASSW) and International Federation of Social Workers (IFSW) on ethics is to promote ethical debate and reflection in the member organisations, among the providers of social work in member countries, as well as in the schools of social work and among social work students. Some ethical challenges and problems facing social workers are specific to particular countries; others are common. By staying at the level of general principles, the joint IASSW and IFSW statement aims to encourage social workers across the world to reflect on the challenges and dilemmas that face them and make ethically informed decisions about how to act in each particular case. Some of these problem areas include:

- The fact that the loyalty of social workers is often in the middle of conflicting interests.
- The fact that social workers function as both helpers and controllers.
- The conflicts between the duty of social workers to protect the interests of the people with whom they work and societal demands for efficiency and utility.
- The fact that resources in society are limited.

For further information please refer to the International Federation of Social Work: www.ifsw.org

Child Protection is one role that is frequently undertaken by social workers and therefore the ethical code and principles of good practice are very relevant to their work. Below are the five key principles as contained in the British Association of Social Workers, (www.basw.co.uk):

1. Human Dignity and Worth:

- Respect for human dignity and for individual and cultural diversity;
- Value for every human being, his/her beliefs, goals, preferences and needs;
- Respect for human rights and self determination;
- Partnership and empowerment with users of services and with carers;
- Ensuring protection for vulnerable people.

2. Social Justice:

- Promoting fair access to resources;
- Equal treatment without prejudice or discrimination;
- Reducing disadvantage and exclusion;
- Challenging the abuse of power.

3. Service:

- Helping with personal and social needs;
- Enabling people to develop their potentials;
- Contributing to creating a fairer society.

1. Integrity:

- Honesty, reliability and confidentiality.

5. Competence:

- Maintaining and expanding competence to provide a quality service.

Appendix 2

A summary of the Convention on the Rights of the Child (CRC)

Article 1

Definition of the child: The Convention defines a <child> as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger than 18. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18.

Article 2

Non-discrimination: The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. It doesn't matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

Article 3

Best interests of the child: The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Article 4

Protection of rights: Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children's rights and create an environment where they can

grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out that when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

Article 5

Parental guidance: Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly. Helping children to understand their rights does not mean pushing them to make choices with consequences that they are too young to handle. Article 5 encourages parents to deal with rights issues «in a manner consistent with the evolving capacities of the child». The Convention does not take responsibility for children away from their parents and give more authority to governments. It does place on governments the responsibility to protect and assist families in fulfilling their essential role as nurturers of children.

Article 6

Survival and development: Children have the right to live. Governments should ensure that children survive and develop healthily.

Article 7

Registration, name, nationality, care: All children have the right to a legally registered name, officially recognized by the government. Children have the right to a nationality (to belong to a country). Children also have the right to know and, as far as possible, to be cared for by their parents.

Article 8

Preservation of identity: Children have the right to an identity – an official record of who they are. Governments should respect children's right to a name, a nationality and family ties.

Article 9

Separation from parents: Children have the right to live with their parent(s), unless it is bad for them. Children whose parents do not live together have the right to stay in contact with both parents, unless this might hurt the child.

Article 10

Family reunification: Families whose members live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.

Article 11

Kidnapping: Governments should take steps to stop children being taken out of their own country illegally. This article is particularly concerned with parental abductions. The Convention's Optional Protocol on the sale of children, child prostitution and child pornography has a provision that concerns abduction for financial gain.

Article 12

Respect for the views of the child: When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account. This Convention encourages adults to listen to the opinions of children and involve them in decision-making -- not give children authority over adults. Article 12 does not interfere with parents' right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child's participation in decisions must be appropriate to the child's level of maturity. Children's ability to form and express their opinions develops with age and most adults will naturally give the views of teenagers' greater weight than those of a preschooler, whether in family, legal or administrative decisions.

Article 13

Freedom of expression: Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

Article 14

Freedom of thought, conscience and religion: Children have the right to think and believe what they want and to practice their religion, as long as they are not stopping other people from enjoying their rights. Parents should help guide their children in these matters. The Convention respects the rights and duties of parents in providing religious and moral guidance to their children. Religious groups around the world have expressed support for the Convention, which indicates that it in no way prevents parents from bringing their children up within a religious tradition. At the same time, the Convention recognizes that as children mature and are able to form their own views, some may question certain religious practices or cultural traditions. The Convention supports children's right to examine their beliefs, but it also states that their right to express their beliefs implies respect for the rights and freedoms of others.

Article 15

Freedom of association: Children have the right to meet together and to join groups and organizations, as long as it does not stop other people from enjoying their rights. In exercising their rights, children have the responsibility to respect the rights, freedoms and reputations of others.

Article 16

Right to privacy: Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17

Access to information; mass media: Children have the right to get information that is important to their health and well-being. Governments should encourage mass media – radio, television, newspapers and Internet content sources – to provide information that children can understand and to not promote materials that could harm children. Mass media should particularly be encouraged to supply information in languages that minority and indigenous children can understand. Children should also have access to children's books.

Article 18

Parental responsibilities; state assistance: Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents for providing appropriate guidance to their children – the Convention does not take responsibility for children away from their parents and give more authority to governments. It places a responsibility on governments to provide support services to parents, especially if both parents work outside the home.

Article 19

Protection from all forms of violence: Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them. In terms of discipline, the Convention does not specify what forms of punishment parents should use. However any form of discipline involving violence is unacceptable. There are ways to discipline children that are effective in helping children learn about family and social expectations for their behavior – ones that are non-violent, are appropriate to the child's level of development and take the best interests of the child into consideration. In most countries, laws already define what sorts of punishments are considered excessive or abusive. It is up to each government to review these laws in light of the Convention.

Article 20

Children deprived of family environment: Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 21

Adoption: Children have the right to care and protection if they are adopted or in foster care. The first concern must be what is best for them. The same rules should apply whether they are adopted in the country where they were born, or if they are taken to live in another country.

Article 22

Refugee children: Children have the right to special protection and help if they are refugees (if they have been forced to leave their home and live in another country), as well as all the rights in this Convention.

Article 23

Children with disabilities: Children who have any kind of disability have the right to special care and support, as well as all the rights in the Convention, so that they can live full and independent lives.

Article 24

Health and health services: Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy.

Article 25

Review of treatment in care: Children who are looked after by their local authorities, rather than their parents, have the right to have these living arrangements looked at regularly to see if they are the most appropriate. Their care and treatment should always be based on “the best interests of the child”. (See *Guiding Principles, Article 3*)

Article 26

Social security: Children – either through their guardians or directly – have the right to help from the government if they are poor or in need.

Article 27

Adequate standard of living: Children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

Article 28

Right to education: All children have the right to a primary education, which should be free. Developing countries should get assistance in achieving this from developed countries. Discipline in schools should respect children’s dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child’s human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.

Article 29

Goals of education: Children’s education should develop each child’s personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other

people. Children have a particular responsibility to respect the rights their parents, and education should aim to develop respect for the values and culture of their parents.

Article 30

Children of minorities/indigenous groups: Minority or indigenous children have the right to learn about and practice their own culture, language and religion. The right to practice one's own culture, language and religion applies to everyone; the Convention here highlights this right in instances where the practices are not shared by the majority of people in the country.

Article 31

Leisure, play and culture: Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

Article 32

Child labour: The government should protect children from work that is dangerous or might harm their health or their education. While the Convention protects children from harmful and exploitative work, there is nothing in it that prohibits parents from expecting their children to help out at home in ways that are safe and appropriate to their age. If children help out in a family farm or business, the tasks they do be safe and suited to their level of development and comply with national labour laws. Children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

Article 33

Drug abuse: Governments should use all means possible to protect children from the use of harmful drugs and from being used in the drug trade.

Article 34

Sexual exploitation: Governments should protect children from all forms of sexual exploitation and abuse. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 35

Abduction, sale and trafficking: The government should take all measures possible to make sure that children are not abducted, sold or trafficked. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 36

Other forms of exploitation: Children should be protected from any activity that takes advantage of them or could harm their welfare and development.

Article 37

Detention and punishment: No one is allowed to punish children in a cruel or harmful way. Children who break the law should not be treated cruelly. They should not be put in prison with adults, should be able to keep in contact with their families, and should not be sentenced to death or life imprisonment without possibility of release.

Article 38

War and armed conflicts: Governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in a war or join the armed forces. The Convention's Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing a ban on compulsory recruitment for children under 18.

Article 39

Rehabilitation of child victims: Children who have been neglected, abused or exploited should receive special help to physically and psychologically recover and reintegrate into society. Particular attention should be paid to restoring the health, self-respect and dignity of the child.

Article 40

Juvenile justice: Children who are accused of breaking the law have the right to legal help and fair treatment in a justice system that respects their rights. Governments are required to set a minimum age below which children cannot be held criminally responsible and to provide minimum guarantees for the fairness and quick resolution of judicial or alternative proceedings.

Article 41

Respect for superior national standards: If the laws of a country provide better protection of children's rights than the articles in this Convention, those laws should apply.

Article 42

Knowledge of rights: Governments should make the Convention known to adults and children. Adults should help children learn about their rights, too. (See also article 4.)

Articles 43-54

Implementation measures: These articles discuss how governments and international organizations, like UNICEF, should work to ensure children are protected in their rights.

Appendix 3

Legal Basis for the Child Protection Services

I. Constitution

Constitution of the Republic of Albania, Article 54, Point 1 and 3

1. *Children, the young, pregnant women and new mothers have the right to special protection by the state;*
2. *Every child has the right to be protected from violence, ill treatment, exploitation and their use for work, especially under the minimum age for work, which could damage their health and morals or endanger their life or normal development.*

The Constitution of the Republic of Albania in its Article 54, Chapter IV, On the Freedom and Economic, Social and Cultural Rights, has provided that every child has the right to be protected from violence, abuse, exploitation and use for labor purposes, and especially when under the minimum child labor age, which can damage his health, moral or endanger his life or normal development. This constitutional provision clearly identifies the child as the subject of special protection, in which by a defined status derives the protection of the children from violence, abuse, while exploitation is mainly related to the exploitation for labor purposes.

The protection of the child from exploitation for labor purposes is also provided for in another general provision in the Albanian Constitution, respectively Article 26, which stipulates the right of the individual not to perform forced labor. While Article 49 states that everyone has the right to earn his living means by legitimate work which he/she has chosen or accepted himself/herself. However, in the case of the second provision, its application is related to the allowed working age, 16 years of age, a limit sanctioned in the Labor Code, Article 98/1.

International Acts ratified by the Republic of Albania

Article 122 of the Constitution of the Republic of Albania

1. Any international agreement that has been ratified constitutes part of the internal juridical system after it is published in the Official Journal of the Republic of Albania. It is implemented directly, except for cases when it is not self-executing and its implementation requires issuance of a law. The amendment, supplementing and repeal of laws approved by the majority of all members of the Assembly, for the effect of ratifying an international agreement, is done with the same majority.

2. An international agreement that has been ratified by law has superiority over laws of the country that are not compatible with it.

3. The norms issued by an international organization have superiority, in case of conflict, over the laws of the country if the agreement ratified by the Republic of Albania for its participation in the organization expressly contemplates their direct applicability.

Article 122 of the Constitution makes it possible that all international agreements and international conventions ratified by the Albanian state, become part of the Albanian legislation, for as long as their norms are self-implementable, which means, in the instances that they do not place obligations on the state to undertake legal measures or to carry out activities which are not provided as rights accessible to the citizens.

UN Convention on the Rights of the Child 1989, ratified on 27.02.1992⁴⁸

Article 3

Best interest of the child

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

The child is a subject to whom the state should guarantee special protection due to his minor age; the best interest of the child is the mechanism by which our adult society will balance the state, public and private decision-making activity in favor of the child.

The concept that the best interest of the child should be the primary consideration in all actions and decisions regarding the child, will assist the decision-making process when we deal with competing interests such as: between the children themselves, between the children and their families, between the children and the state.

⁴⁸ Shiko shtojcën 2 për përmbledhjen e neneve., neni 41, neni 8

Article 5

Parental leadership and child rights

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

The article considers the child as an active subject of the rights that he/she enjoys, and emphasizes the importance of these rights being exercised by him/her. It provides a framework of the relationships between the child and the parents or family in general and between the child and the state.

The general spirit of the Convention is favorable to the family, considering it as essential for the growth and development of the child. Furthermore, the Preamble to this Convention considers the family as the basic unit of society and the natural environment for the well-being of all individuals, and in particular of the children. There it is noted that parents and family are primarily responsible for the child protection and development.

Article 9/1

States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence..

This article defines the procedure for the separation of the child from the parent/guardian. Every separation of the child from the parents must be just. The decision-making body should be authorized to do so and it should have all the necessary skills to decide as to which is the best interest of the child, based on the evidence that it possesses.

Article 12

Respecting the opinion of the child

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

The provision of this right shows that the community and the state institutions can no longer consider the child as a mute and passive being, but as a being who participates actively and progressively in accordance with his/her intellect, in the organization and the flow of his/her life and of the surrounding environment.

In order to determine which would be the best interest of the child, it is necessary and logical that the child be heard and his/her views be considered. Respecting the views of the child, is one of the fundamental principles of the Convention, the interpretation and implementation of which is linked to the implementation of all the other principles and rights of the Convention.

Article 16

Right of the child for freedom of privacy

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

Article 16 stipulates the right of every child to be protected by law from unlawful assaults or interference with his/her privacy, family, home or correspondence, and also be protected from unlawful attacks against his/her honor and reputation.

The right of respect for privacy and family life aims at protecting children from any arbitrary and unlawful interference. This provision is primarily focused on the obligation of the public authorities to refrain from arbitrary and unlawful interference, the so-called fulfillment of a negative obligation, and the obligations of a positive nature necessary for respecting the privacy and family life effectively.

This article addresses issues related to the physical environment in which the child lives, the privacy of the relationships and communications that he/she builds with others, including the rights to confidential advice, control of access to information found in the files or data of the child etc.

Article 19

Right to be protected from any form of violence

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Under Article 19, States Parties shall protect children from all forms of abuse from their parents or other individual to whom they are entrusted, including teachers, staff of child care centers etc.

Article 19 of CRC significantly goes beyond protection against violence, including treatments that in themselves may not reach the level of violence or abusive treatment but which may include abuse or neglect. It is important to note that Article 19 includes also psychological violence, insult or threat.

Article 20

Child deprived of family environment

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, *inter alia*, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

The focus of this article are the children who cannot, permanently or temporary, live within a family environment. The children can be deprived of the family environment due to the death of parents or because of abandonment by parents. They can also be separated from the family environment because the State Party has decided that this is in the best interest of the child. Despite the circumstances, the Convention provides that these children have the right to "protection and special protection by the state". The specifics of this protection and assistance will depend on the culture and respective practices of each country. However, the care must at least meet the standards of the Convention, giving special importance to the continuation of the education, including ethnic, religious, cultural and language belonging.

Article 28

Right of the child to education

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 28 of the Convention on the Rights of the Child stipulates the right of the child to education. Elementary education shall be compulsory and free. The right to education is recognized as a fundamental right for all children "on the basis of equal opportunities". States should take active measures to ensure the right to education for minority children, children of rural areas, children with disabilities, etc.

Given that education requires funding, professional teaching staff etc., and that not all the countries are able to meet the educational needs of the children, this right should be achieved gradually. Article 28 provides the minimum principles: compulsory and free for all primary education, various forms of secondary education, "possible and achievable" for all professional counseling. Higher education should be a possibility for individuals who wish to pursue it, "based on skills"

Article 35

Right to protection from abduction, sale or trafficking for any purpose and in any form

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 35 serves as a second possibility of protection for children who are at risk of being victims of abduction, sale or trafficking.

In order to reflect the international concern on the extent of the abduction, sale, or trafficking phenomenon of children worldwide, the Convention incorporates Article 35 as a “safety-net” to ensure that States Parties take all measures necessary to prevent such actions and acts.

Article 35 is comprehensive and includes even those forms of child exploitation and specific aspects of trafficking, kidnapping and sale of children. *First*, there is the trafficking of children for labor purposes, trafficking for the «sex market» and other forms of exploitation. In many countries of the world, children are intentionally pushed to slavery by working as house servants or as beggars on the street.

Second, there is the trafficking of children for adoption purposes. *Third*, there is the protection of children from sexual exploitation which in itself includes identifying the commercial aspect of pornography and prostitution in children. It has been fully proven that these businesses are growing and very profitable in which many international smugglers’ networks are included. *Fourth*, there is the trafficking of children for the sale of organs - for transplant surgery or medical experiments. This phenomenon, however, has not been fully studied so far and the data are not enough. However, given the fact that children organs could cost a lot, the possibility of such activity should not be ignored.

Finally, the Committee has expressed concern over the instances of the abduction of children in armed conflict. Under Article 35 of the Convention, children are protected from abuse in armed conflicts and especially from recruitment under 15 years of age; the performance of such actions on children would be a violation of Article 35 of the Convention.

International Labor Organization Convention on Minimum Age, 1973; ratified by Albania by the law No. 8086, dated 13.3.1996 and **Recommendation of the International Labor Organization on Minimum Age, No. 146, 1973**

Article 3/1

The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.

The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.

Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.

Article 7/1, 7/2 and 7/3

National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is-

Not likely to be harmful to their health or development; and

Not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

Convention of the Council of Europe “On Measures Against Trafficking of Human Beings”, ratified by Law No. 9642, dated 20.11.2006

Article 10/4

As soon as an unaccompanied child is identified as a victim, each Party shall:

- a provide for representation of the child by a legal guardian, organisation or authority which shall act in the best interests of that child;*
- b take the necessary steps to establish his/her identity and nationality;*
- c make every effort to locate his/her family when this is in the best interests of the child.*

Article 11/2

Each Party shall adopt measures to ensure, in particular, that the identity, or details allowing the identification of a child victim of trafficking are not made publicly known, through the media or by any other means, except, in exceptional circumstances, in order to facilitate the tracing of family members or otherwise secure the well-being and protection of the child.

This Convention emphasized a series of rights that are part of the European Legislation on Human Rights and attempts to create on their foundations an effective system of measures categorized as follows: measures for prevention of trafficking; measures for protection; measures for promotion of international cooperation in actions against human trafficking. Article 10 emphasizes the importance of measures that the state should take in collaboration with supporting organizations to identify the victims, by taking into account the particular situation of children and women; and the provision of appropriate services and assistance to persons identified as such. In point 4 of this article the standard guarantees the identification and protection of an unaccompanied child, as an unaccompanied child represented by a legal guardian, organization or authority, which must act in the best interest of the child. In addition, these entities must take all the necessary steps to determine the identity and nationality/ citizenship of the child and to locate his/her family, when it is in the best interest of the child. However, the identification of the child shall be conducted in terms of protecting the right to privacy provided in detail in Article 11, paragraph 2 where it is stressed that the protection of data and the identification of children from the media through publicity or other means. This is excluded in the case when the publicity is done in order to find the child's family.

International Labor Organization Convention on Worst Forms of Child Labor, 1999, ratified by Albania with Law No. 8774, dated 23.04.2001, and the International Labor Organization Recommendation, No. 190, 1999.

Article 3

For the purposes of this Convention, the term the worst forms of child labour comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;*

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 3, paragraph (a) of the ILO Convention emphasizes that all forms of slavery, practices similar to them, such as the sale and trafficking of children, forced labor and other services due to debt bondage shall be considered worst forms of child labor. In addition, in point (d) it is stipulated that the type of work, in which the nature and circumstances in which it is carried out is likely to affect the health and moral of the child, shall be considered one of the worst forms of child labor and as such should be prohibited in the State Parties and a list of these prohibited types of labor should exist as a legal document under Article 4 of the Convention. State Parties are obliged under Article 7, to build programs and take action to prevent children engaging in work categorized as the worst forms of child labor, to identify children at risk, to assist directly in removing the child from employment situations using one of the forms mentioned above, to consider the specific situation of girls in this context.

UN Convention on the Rights of Persons with Disabilities, adopted by UN General Assembly on 13. 12. 2006.

Article 16/5

Freedom from exploitation, violence and abuse

1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.

2. States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age, gender and disability-sensitive.

3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.

5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

This Article aims to protect disabled persons from exploitation, violence and abuse. This article puts emphasis on prevention of these phenomena towards persons with disabilities, through the obligation that State Parties should develop programs, to define effective measures to this end. The article obliges the State Parties to establish monitoring mechanisms for programs and institutions that deal with or

provide services to these people.

The Hague Convention on the Aspects of Child Abduction, Ratified by Law No. 9446, dated 24.11.2005

Article 1

The objects of the present Convention are -

- a) to secure the prompt return of children wrongfully removed to or retained in any Contracting State; and*
- b) to ensure that rights of custody and of access under the law of one Contracting State are effectively respected in the other Contracting States.*

Article 3

The removal or the retention of a child is to be considered wrongful where -

- a) it is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention; and*
- b) at the time of removal or retention those rights were actually exercised, either jointly or alone, or would have been so exercised but for the removal or retention.*

The rights of custody mentioned in sub-paragraph a) above, may arise in particular by operation of law or by reason of a judicial or administrative decision, or by reason of an agreement having legal effect under the law of that State.

Article 4

The Convention shall apply to any child who was habitually resident in a Contracting State immediately before any breach of custody or access rights. The Convention shall cease to apply when the child attains the age of 16 years.

Article 5

For the purposes of this Convention -

- a) «rights of custody» shall include rights relating to the care of the person of the child and, in particular, the right to determine the child's place of residence;*
- b) «rights of access» shall include the right to take a child for a limited period of time to a place other than the child's habitual residence.*

The Hague Convention stipulates in Article 1, the obligation of the Contracting State to secure the prompt return of children wrongfully removed or retained and to ensure the right of custody and access under the legislation of these states. Article 3 stipulates the removal or retention of a child is to be considered wrongful where it is in breach of rights of custody attributed to a person, an institution or any other body, in which the child was habitually resident before the removal or retention, a right which was and would have been so exercised but for the removal or retention.

The right of custody is extended to all the children resident in the Contracting States and it ends after the child reaches the age of 16, according to Article 4 and 5 of this Convention. These definitions are important and constitute a basis to determine the situation under which this would be classified as child kidnapping, in civil terms, applicable to determine protection from kidnapping under Article 35 of

the CRC, regardless of the fact that the Hague Convention does not utilize the same term. It should be emphasized that the provisions of this Convention deal with the national and transnational aspect, in order to ensure a more complete protection considering these potential elements during the child's removal or retention.

Optional Protocol (Palermo Protocol) to “Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children» of the UN Convention against International Organized Crime, Ratified by Law No. 8920, dated 10.07. 2002.

Article 3

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

In the Palermo Protocol, for the first time in an international instrument, it provides the definition of the crime of trafficking in persons, which not only aims at determining the area of implementation of the Protocol and the Convention Against Organized Crime, trafficking and related activities, but it also serves as a model on the basis of which the local legislation should be compiled with regards to the penalties against activities related to trafficking, penal procedures and measures for protecting victims of trafficking.

The Palermo Protocol applies to the prevention, investigation and punishment of criminal acts only when they are of an international nature and when an organized criminal group is involved. These are elements which should be present for the application of the Convention and the Protocol among the State Parties, but this does not change the obligation of the State Parties to punish trafficking under the national legislation, whether it is of an international nature or it involves an organized criminal group.

An important element of the provisions of this Protocol is that the victim's consent for his/her exploitation under one of the circumstances determined by the definition of trafficking criminal act, is irrelevant according to Article 3/b of this Protocol. Letter c of the same article, stipulates that if a child is the object of recruitment, transportation, transfer or receipt, only the element of exploitation, without having to use force or threat, serves to qualify the action as «trafficking in persons».

Optional Protocol of the UN Convention on the Rights of Children “On Sale of Children, Child Prostitution and Child Pornography,” of the UN Convention against the International Organized Crime 200, ratified by the Republic of Albania by Law Nr. 9834, dated 22.11. 2007.

Article 2

For the purposes of the present Protocol:

(a) Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration;

(b) *Child prostitution means the use of a child in sexual activities for remuneration or any other form of consideration;*

(c) *Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.*

Article 8

1. States Parties shall adopt appropriate measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal justice process, in particular by:

(a) Recognizing the vulnerability of child victims and adapting procedures to recognize their special needs, including their special needs as witnesses;

(b) Informing child victims of their rights, their role and the scope, timing and progress of the proceedings and of the disposition of their cases;

(c) Allowing the views, needs and concerns of child victims to be presented and considered in proceedings where their personal interests are affected, in a manner consistent with the procedural rules of national law;

(d) Providing appropriate support services to child victims throughout the legal process;

(e) Protecting, as appropriate, the privacy and identity of child victims and taking measures in accordance with national law to avoid the inappropriate dissemination of information that could lead to the identification of child victims;

(f) Providing, in appropriate cases, for the safety of child victims, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;

(g) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting compensation to child victims.

2. States Parties shall ensure that uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations, including investigations aimed at establishing the age of the victim.

3. States Parties shall ensure that, in the treatment by the criminal justice system of children who are victims of the offences described in the present Protocol, the best interest of the child shall be a primary consideration.

4. States Parties shall take measures to ensure appropriate training, in particular legal and psychological training, for the persons who work with victims of the offences prohibited under the present Protocol.

5. States Parties shall, in appropriate cases, adopt measures in order to protect the safety and integrity of those persons and/or organizations involved in the prevention and/or protection and rehabilitation of victims of such offences.

6. Nothing in the present article shall be construed to be prejudicial to or inconsistent with the rights of the accused to a fair and impartial trial.

As clearly indicated in its name, this Protocol aims at explaining in a detailed and concrete way the protection of children from sale, prostitution and pornography.

In its Article 2 the Protocol provides the definition of the act that is considered as “sale of children” and this act is defined as any transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration.

In Article 8, the Protocol emphasizes once again the obligation to protect children, who are victims of practices prohibited by this Protocol, including the sale during court proceedings. During these procedures a set of standards should be implemented such as, the adoption of procedures in view of the vulnerability of victims and in each case their right to information should be respected. The expression of the views of the child, the benefit of support services, the provision of safety for children and their family members, when they act as witnesses and their protection from intimidation and revenge/retaliation, and avoidance of delays in court proceedings.

UNICEF Guidelines “For Protecting the Rights of Children Victims of Trafficking in Countries of Southeast Europe”, dated 24. 03. 2003

Given its name this guideline is a very valuable document for use, be that by the governmental or non-governmental actors, as it attempts to provide principles and a detailed structure of concrete regulations to be implemented in the practice in every phase or procedure that the trafficked child goes through, starting from the identification to the reintegration.

In summary this guideline entails details on the following issues:

- Identification and taking proactive measures to the end;
- Appointment of a custodian in circumstances where the child cannot be under the responsibility of the parent/guardian;
- Initiating issues, procedures and actions with regards to the interviewing of the victimized child;
- Referral to appropriate services and inter-institutional cooperation;
- Individual assessment of the case and the identification of a sustainable solution;
- Implementation of the sustainable solution;
- Placement and integration in a third location;
- Participation of the victimized child in the procedures for the punishment of the perpetrators;
- Participation of the child in civil procedures for obtaining compensation for damage;
- Protection of child victims/witnesses.

It is important to emphasize that during all the above-mentioned steps and procedures, the child is at the center of the process by avoiding that he/she is used during the proceedings for the punishment of the perpetrator, aiming at the protection of him/her during the interviewing process, granting reflection time for the child to decide whether to testify or not, guaranteeing protection during the testifying process in the court and his/her right to compensation. On the other hand a great emphasis is placed on assisting the child, on the obligation for referral and care based on the needs assessment for each case, a process during which the opinion of the child should be considered.

One element of particular importance introduced for the first time is the identification of a sustainable solution for the child. This document also addresses a number of rules regarding the process of returning the child to the country of origin, aiming at the child’s safety and his/her protection from danger after his/her return to the country of origin. The return of the child should be assisted by guardians, social workers and accredited organizations; thus, this process should be planned in the country of origin and this requires bilateral or multilateral cooperation among the countries that are affected by the trafficking phenomenon.

EU Plan on Best Practices, Standards and Procedures for Combating and Preventing Trafficking in Human Beings. (2005/C 311/01)

Even though the Republic of Albania is not yet an EU member, important EU documents are worth considering as at their core they represent standards, which countries like Albania in the process of stability and association are obliged to consider and align their legislation to. Based on this document, the State Parties are obliged to take measures to prevent and combat trafficking in human beings to

be exploited for any purpose. The State Parties are obliged to protect, support and rehabilitate the victims. Point 5 of this plan states that the member states and the Commission should ensure that the anti-trafficking policies of EU states respect the rights of the children by explicitly referring to the Convention on the Rights of the Child and the Action Plan of the European Council on Children and Violence (2006-2008).

III. Albanian Legislation

I. Family Code

The Family Code provides forms of determining the responsibilities and sanctions against parents who fail to fulfill the responsibilities, in its Chapter III, «On Parental Responsibility».

Thus, Section 215 of the Family Code (FC) defines parental responsibility as a set of rights and obligations to provide the child among other things with emotional, social and material welfare. The establishment as a positive obligation of the above section is the importance of identifying within the family context any violations, the poor or lack of parental functioning and their fulfillment of the above obligations, as defined in Article 19 of the CRC as violence, abuse and neglect within the family.

Under the same Article, the parent/guardian is identified as the child's legal representative, thus, in any event, the change of residence and the living place of the child should be endorsed by him/her. So every situation that is in violation of these rights shall be considered illegal and it shall be considered a kidnapping, displacement or unfair removal of the child. Given that such circumstances/situations exist in reality, the Family Code has further sanctioned in Article 218 on the «Return of the Child», the right of the parent/guardian to ask the court for the return of their minor child when he/she is not living with them and is unjustly kept by other persons. The court may not decide to return the child only in grave circumstances, when such an action runs contrary to the best interest of the child. In such procedure the court is obliged to take into consideration the opinion of the child who is over the age of 10.

In this regard the same attributes are granted to the guardian as well. Article 272 specifies that the guardian cares for the minor and that he/she has the right to represent the child, while Article 273 of the Family Code determines the duties of the minor, one of which is the inability to abandon the residence or institution without the permission of the guardian. In this case it is provided that the guardian has the right to search for the minor and, if necessary, to petition the court. During this trial, just like in the case of the parent/guardian, the minor, who has reached the age of 10, must be heard.

In the Family Code, (FC) one finds sanctions on the loss of **«parental responsibility»**, Article 223 of the FC or **«removal of parental responsibility»** provided for in Article 228 of the FC. In the case of loss of parental responsibility, the legislator refers to the fact when the parent/guardian has committed an act against his/her child. It is important to note, that the loss of this right should be the automatic consequence in these cases, despite the fact that it seems like there is not a natural reference on this point between the Criminal Code and Family Code. So, let's say that a father has sexually abused his 13 year old girl, a crime which is punishable under Articles 100 and 106 of the Criminal Code, and therefore should automatically lose his parental responsibility as provided by the Family Code. For or such actions there should not be a separate court procedure, but it should be determined during the criminal trial. Certainly this requires a review of current sanctions under the Criminal Code, and this sanction could be administered as an additional punishment/sentence.

Article 228 of the FC, provides for the **«removal of parental responsibility»**, in the instances when this responsibility is abused. This article forms an important basis for the implementation of a series of measures compliant with Article 19 of the CRC, with regards to protecting children from violence, abuse and neglect within their families. Article 228 of the FC is formulated in such a way that it encompasses not only the cases when the parent/guardian is the perpetrator of violence and abuse but also the cases when he/she has been careless, or when he/she is aware of and has allowed people to abuse or violate the child (the case of a stepmother/stepfather who abuses the child and the biological parent/guardian is aware of it).

«**Urgent Measures**» is another approach, stipulated in the Family Code, Article 281, on protecting the minor. In this context, the court may decide to place the minor under a temporary guardianship.

Based on the above-mentioned, we can conclude that these three articles represent a good basis for various measures instead of the criminal measures towards the parents, in order to protect children in the event of violence, abuse, maltreatment or neglect.

Article 263

Establishing guardianship *A minor may be placed under guardianship and in the special care of the state when his/her parents are unable to exercise their parental rights, because of the death of both parents or because they are unknown, have been proclaimed as not found, have had their parental rights terminated or have lost their capacity to act, as well as for any other reason accepted by the court. The competent court to establish guardianship of the minor is the court located in the district where the child resides.*

Article 266

Foster family

1. A foster family is an alternative family, assigned by the court in order to provide children with a family environment, conditions for good up-bringing, physical care and emotional support.

2. The identification of foster families is the responsibility of the social assistance and services department at the municipality or commune where the minor resides. A family may establish itself as a foster family by signing a declaration of availability.

3. The number of children in the custody of a foster family must be limited, giving priority to children who are siblings.

Article 267

If the parent who has custody of the child did not designate a guardian, the court must give priority to the selection among antecedents, the relatives of the minor, a foster family and, as a last alternative, a public or private institution.

2. Before a judge appoints a guardian, they must hear from the selected person and take into account the opinion of the minor, if they are at least 10 years of age.

3. The court, in any case, should take into consideration the opinion of the social assistance and services department at the municipality or commune where the court proceedings occur, the results of an examination of the personality development of the child in the family, education and social context and the examination of the conditions and compatibility of the child with the proposed guardian, foster family or care institution.

4. The appointment of a guardian should take into consideration the qualities of the guardian, foster family or care institution, pursuant to the third paragraph of this article, and after hearing the opinion of a psychologist, who must be present during the proceedings.

The Family Code constitutes the most important legal basis which guarantees the rights of children deprived of the family environment through the institute of Guardianship. Thus, Article 263 of the Family Code, states that the minors are placed under guardianship when their parents are unable to exercise their parental responsibility, because they are both dead, they are unknown, they have been proclaimed as not found, or have had their capacity to act removed, as well as for any other reason accepted by the court.

These provisions clearly identify the specific cases when a child is placed under guardianship. However, the common element in all the cases mentioned is the circumstance when the child does not enjoy, because of relative or absolute impossibility, the care and protection of the parent/guardian, in other words the child is deprived of the family environment.

The Foster Family is a new concept, introduced for the first time in Albanian family legislation, stipulated in the Family Code under Article 266. The court might decide that the child is placed with a foster family care when none of the predecessors/antecedents or relatives of the child are found suitable in terms of the criteria set forth by the code, or they have not accepted the guardianship, or the child has no such relatives, for example: in the case of the birth of a child of unknown parents.

The goal of the legislation in identifying the foster family is the placement of the child under the care and in a family environment as a comparable alternative to the family of origin. The three conditions mentioned in Article 266, paragraph I of FC, are conditions that are not dictated by the blood relations and by simply guaranteeing the conditions set for the family of origin, such as the atmosphere of joy and love. On the other hand, the conditions set forth for the foster family are very important, as they form the basis for the selection of the foster family by the court.

Article 267, Paragraph I of the FC explicitly defines the placement of the child in an institution of social care as the last option for the child's guardianship. According to the FC, the court is obliged to give arguments about the placing of a child under guardianship in an institution as the last option, and prove that it has explored other options. Even in instances when the court decides to grant guardianship of a minor to an institution, the child's needs with regards to the living conditions and location of the institution should be considered.

2. Criminal Code

The Criminal Code of the Republic of Albania provides for a series of criminal acts/offences when it comes to punishing the criminal activity of the minors, placed in a context that is similar in content to Article 19 of the CRC on the protection of children from violence, abuse, maltreatment and neglect.

A series of articles in the CC make references to protection from «violence»:

Article 90 «**Other Intentional Damage**» stipulates that beating just like any other act of violence, constitutes a criminal offence and it is punishable by a fine. But when this act has caused temporary disability for work that lasts up to 9 days, it constitutes a criminal offence and it is punished by a fine or imprisonment of up to six months. It is evident that this document provides for the general protection of the subjects from physical violence in the form of beating or any other forms, without considering the domestic violence as a situation in its own right and furthermore without considering as a defining circumstance the act of violence against the minor. Certainly just like with any other criminal act committed against a minor, this constitutes a grave circumstance under Article 50, paragraph E, of the Criminal Code «when the criminal act is committed against children, pregnant women ...».

Articles 88, 88a, 88b, 89, 91, 92 of the CC identifies as criminal acts: *serious and slight injuries, caused intentionally and by negligence.*

Article 108 of the CC considers the commitment of shameful acts with minors who have not reached the age of 14 as a criminal act, an offense which is punishable by imprisonment of up to 5 years. Even though the provisions of Article 108 have significantly in their focus the minors who are under 14 years of age, subjects of a punishable act, which consists in carrying out a series of actions that are considered shameful by society, these provisions bring forward a series of issues, primarily with regards to their formulation mainly due to the use of the term «shameful», as this term is linked to how society perceives an act in relation to a range of mostly values and moral standards and not on how a certain act produces consequences and effects on the moral, psychological and emotional integrity of the minor, at the time of the occurrence and later during the growth and development process, thus, having a long-term impact.

The sexual abuse in its extreme forms is provided for in Article 100 of the Criminal Code, «Sexual intercourse with minors», and Article 101, «Sex with minors over 14 years of age.» It is clear the differentiation the legislator makes with regards to the defense as a result of age and this is due to the presence of the violence element in Article 101, the lack of which represents no criminal act, given

that the legislator has allowed the conduct of sexual intercourse with minors over 14 years of age. The problem remains with the interpretation of the term «violence,» which requires the execution of certain coercive acts of physical or psychological violence. At a time when in this article the lack of consensus could be an element of expression of the will of the minor, without the need of execution of certain acts by the perpetrator of the criminal act.

The Criminal Code also deals with neglect towards children, respectively, in Article 124, «Abandonment of minor children» and in Article 125 «Failure to provide means of living/Denial of support.»

In Article 124, the “Abandonment of minor children” by the parent/guardian is punishable only in the cases of children who are under 16 years of age. It seems that the reason for the age differentiation by the Albanian legislator is the fact that at the age of 16 a minor is allowed to work, according to the Labor Code. However, considering that neglect according to the CRC concept goes beyond securing financial conditions and resources, based on the Article 5 of the CRC, under which the parents have a duty to lead [care for] the child until the age of 18, it can be said that the age differentiation should be removed and the possibly of defining the circumstances and consequences of abandonment should be considered.

In Article 125, «Failure to provide means of living/Denial of support,» the failure to provide means of living to children is punishable, without applying an age differentiation, but this offence is placed in the context of the execution of a judicial decision, which would be that of «Child support,» provided for in Article 197 of the Family Code. Thus, failure to provide means of living, not under the circumstances of the existence of a judicial decision would not constitute a criminal offense under Article 125, which indicates the necessity of revising this provision.

The **Trafficking in Minors** is provided for in Article 128/b, which establishes that the recruitment, transportation, harbouring or receipt of minors for the purpose of sexual exploitation, forced labor or services, slavery practices or other forms similar to slavery, organ transplants as well as other forms of exploitation.

The Article stipulates as grave circumstances of this criminal act the instances when the act is accompanied by maltreatment or obligation of the child through physical or psychological violence, or creates health consequences for the trafficked child. The sanctions applied for this criminal act are from 7 to 15 years imprisonment and a fine of 4 to 6 million lek. In the instances when the grave circumstances are proven, the sentence is more severe, not less than 15 years imprisonment and a fine of 6 to 8 million lek. The instance when the criminal act has caused the death of the child is considered as a separate grave circumstance in this provision. In this case the sentence is not less than 20 years imprisonment and a fine of 8 to 10 million lek. The instance when the criminal act entails the abuse of state or public functions is also considered a grave circumstance.

The Albanian Criminal Code recognizes also the child kidnapping as a criminal offence ensuring thus the application of the standard established by Article 35 of CRC within the Albanian legislation. The kidnapping of a child is provided for in Article 109 of the Criminal Code and its formulation is in coherence with the provisions of articles on trafficking. Thus, kidnapping and hostage holding are considered offenses aiming to benefit assets or any other kind of benefit. This offense is punishable by 10-20 years imprisonment and a fine of 2 to 5 million lek. The kidnapping and hostage holding of a child under 14 years of age is considered a specified [specific] circumstance of the offense, which carries a penalty of not less than 15 years imprisonment and a fine of 3 to 7 million lek. The kidnapping and hostage holding of a child under 14 years of age accompanied by physical or psychological torture is punishable by imprisonment of not less than 20 years and a fine of 5 to 10 million lek.

Law No. 9859, dated 21.01.2008, added paragraph b to Section 124 of the Criminal Code on the «**Abuse of minors**», according to which physical or psychological abuse of a minor by a individual who has the obligation to care for him/her, is punishable by imprisonment of 3 months to 2 years. Forcing a minor to work, to provide income, to beg or to perform acts that harm her/his development is punishable by imprisonment of up to 4 years and a fine of 50 thousand to 1 million lek. When the offence has caused serious health damage or death of a minor, the punishment is imprisonment from 10 to 20 years.

3. Code of Criminal Procedure

The Code of Criminal Procedure provides for the respective rights and procedures of the victim, which in the terminology of the CCP is defined as the affected victim [wronged party], provided for in Article 58, point 1, which states that the affected individual has the right to seek prosecution of the perpetrator and compensation of damages, while point 2, provides that when the affected individual has no legal capacity as in the case of a minor, he/she exercises his/her rights through the legal representative, parent/guardian or custodian. Article 59 of the CCP, also stipulates that a series of criminal offences such as injury and other intentional harm are criminal offences that follow an individual filing of a claim, in which case the affected party, the victim, participates as a party in the trial to prove the charges and ask for the award of damage compensation. Failure of the affected individual or his representative to appear in the hearing session without reasonable cause entails the termination of the trial. This procedural rule creates major problems in reality with regards to the rights of children, who are victims of criminal offences such as beating up and other health injuries, as the request for the prosecution of the accused in such cases should be signed and followed throughout the prosecution and trial proceedings by the legal representative of the child, parent/guardian or custodian. In the event that the legal representative disagrees and does not take these actions, the child is unable to defend his interests.

The Code of Criminal Procedure has also established mechanisms to protect children, who are victims in the criminal process, from their non-reactivation due to facing the individual accused of committing the crime. Thus, Article 361/5 provides that the questioning of minor witnesses with regards to the claims and objections of the parties can be handled by the presiding judge. The presiding judge may be assisted by a family member of the minor or by a specialist in child education. This is an important provision that guarantees the non-questioning of the child victim by the accused individual or his counsel, which would directly influence the psychological state and would traumatize the child. Furthermore, Article 367/7 provides that a witness may be questioned in distance, inside or outside the country, by means of an audiovisual connection, while abiding by the rules of international agreements and the provisions of this code. This rule makes it possible to completely avoid contact with the victim; it protects the victims from intimidation and retaliation by individuals participating in the court hearing.

4. Code of Civil Procedure

Articles 351/1 and 352 provide that: «The request for establishing guardianship is presented to the court by relatives of the minor and by anyone who receives notice that the child is left without parents, receives notice of the birth of a child of unknown parents and for any other circumstance under which the law requires the establishment of guardianship and the exercising of this right by the minor himself when he has reached the age of 16». Also under Article 356/1 «Before the court proceeds to appoint a guardian, it should also ask the minor when he has reached the age of 10».

5. Labor Code; Law No. 7961, dated 12.07.1995, amended by Law no. 8085, dated 13.3.1996 and Law no. 9125, dated 29.7.2003

The Labor Code prohibits all forms of forced labor. The Code also establishes the minimum age of employment, as the age of 16. However, children aged 14 to 16 years of age may be employed during the summer recess, ensuring that these forms of employment do not damage their health or development. Children aged from 16 to 18 years of age may perform «light» work which does not harm their health or development.

The Labor Code also specifies that the allowable working hours for minors are 6 hours per day and it prohibits night work for this category.

6. «Decision of the Council of Ministers No. 384, dated 20.05.1996 «On Protection of Minors at Work,» (as amended)

This decision of the Council of Ministers defines the working conditions, the easy and difficult jobs, vacation, etc., and the conditions in which an employee under 18 years of age should work.

7. Law No. 9205, dated 15.03.2004 «On Protection of Witnesses and Collaborators of Justice»

This law primarily regulates the special measures, methods and procedures of protection of witnesses and collaborators of justice. As such it provides a good legal basis and constitutes an enforcement of the obligations imposed by Article 35 of CRC and the additional Protocol to this Convention in connection with the sale of the child, prostitution and pornography for the protection of children who testify in judicial processes for the punishment of perpetrators of the criminal offences mentioned above, and thus fulfilling the right to confidentiality and protection from intimidation and revenge/retaliation.

In its Article 10, the law stipulates a series of special protection measures among which are: the change of identity, change of place of residence, protection of personal data of the protected individual, provision of witness statements under a different identity, social rehabilitation, provision of specialized advice and legal assistance. The only special provision for minors is found in Article 16, which provides for the agreement with the protected individual. Point 5 of this article provides that if the protected individual is a minor, in respect of the principle of the best interest of a minor and legal arrangements in relation to his/her capacity to act, the granting of consent and signing of the agreement is reached/achieved through the parent/guardian or custodian of the child, as set by the law.

8. Law No. 9355, dated 10.03.2005 «On Social Assistance and Services».

The law on social services provides in its entirety for all forms of social care services, public and private, which can be offered within local government units, or at the district level. Even though the services that may be set up for the raped children are not explicitly defined, in Article 31, letter (f), the law establishes the obligation of the social administrators within municipalities and communes to assess the needs of individuals and families that require social services, this being conditional on financial resources and national priorities. Also the by-laws supporting the implementation of this law define the responsibilities of the district in establishing new services at the district level.

The child, who is a victim of violence, abuse or maltreatment can not find direct references in the law, however, he/she is included under the definition of the individual in need, therefore the provision applies to him/her as well. Furthermore to this article, the social administrators are obliged to prepare the documentation and proposals for approval at the municipal council or by the commune with regards to the required service. The by-laws supporting the implementation of this law have defined the criteria, procedures and documentation that must be prepared for the accommodation of a child in an institution.

The referral system under the present law consists of the social administrator, the municipality/commune council, residential institution of social care or daily social service etc. However the law on domestic violence completes the referral mechanism for cases of domestic violence against children.

9. Law No. 9669, dated 18.12.2006 “On Measures Against Domestic Violence”

This law represents a serious effort of the Albanian government to address violence and protect people against domestic violence. In addition to protection as a statement expressed in Article 1 of the law, in which the child is defined as a category requiring special attention, this law aims to create a mechanism or a coordinated network of institutions responsible for the protection, support and rehabilitation of the victims and prevention of domestic violence.

For the first time in the Albanian legislation, this law provides the definition of the term «violence», which is provided for in Article 3, according to which violence is any act or lack thereof of an individual against another person, which leads consequently to violation of the physical, moral, psychological, sexual, social, economic integrity, while any act of violence between individuals who are or have been in family relationships is defined as domestic violence.

The law aims at establishing a reporting, referral and treatment system for the victims or potential victims,

by setting up a Responsible Body within the Ministry of Labor, Social Affairs and Equal Opportunities and defining concrete responsibilities for other institutions such as the Ministry of Interior, Health, Justice and local governments units (Article 5-9). The reporting obligation is expressed explicitly in Article 7, point 2 (c), which establishes that the Ministry of Health should establish the necessary capacity to identify cases of violence in the appropriate medical documentation and that the health centers have the obligation to refer and direct victims to services in compliance with point 2 (d).

The Lawmakers have accompanied the obligation for reporting and referral with appropriate administrative and criminal sanctions provided for in Article 8, point 5, which states that individuals who possess knowledge due to their duty or authority granted to them for the implementation of this law, and do act to implement the law, are charged with administrative or criminal responsibility, based on Article 248 and 251 of the CCP. Further, obligations are also provided for police officers, who must register relevant findings in a written report and begin investigations. They have the duty to notify the victim of the number assigned to the reported case, as per Article 8, point 6. This last provision is very important as it does not link the launch of the investigation only with the filing of a personal complaint and all its qualifying conditions, as for example, in the case of a child, the signing of the complaint by the parent/guardian or custodian. This provision gives police the right to continue the investigations mostly considering the information as indices for the investigation.

For the first time, the law provides for protection measures for the victim through two main instruments, “Protection Order” and “Immediate Protection Order”, which is issued by the court, therefore, a judicial procedure is necessary for the initiation of which the submission of a claim is required. In the case of a minor this may be submitted by the parent/guardian of a minor, the legal representative or the counselor of the minor, relatives, representatives of the Social Services Office in the municipality or commune, rehabilitation centers or services protecting victims of violence, referred to in Article 13, point 2. The Protection Order from the highest office aims to protect the victim, rather than penalizing the perpetrator of violence. Article 10 of the law defines in detail a series of **restrictive or prohibitive measures**, which can be provided for in the protection order such as:

- not to threaten or commit acts of violence;
- not to violate, harass, contact, communicate with the victim, to remove the accused from the lodging for a period of time;
- to prohibit the accused from coming closer to the victim than a certain specified distance [to issue a restraining order against the accused].

Other supporting measures for the victim, referring to the perpetrator of violence such as:

- his/her obligation to make a periodic payment to individuals they lived with, who due to the measures taken are deprived of the means of living;
- his/her obligation to pay the rent for the permanent or temporary lodging of the victim;
- the obligation to allow the victim to take possession of the lodging of the perpetrator.

Extreme protective measures such as:

- placement of the minor victim in temporary shelter, by ordering police officers or court bailiffs to accompany the victim or the accused to the lodging and to oversee the removal of personal property;
- granting of child custody to the victim;
- removing parental rights of the accused;
- involvement of the victim in rehabilitation programs;
- forcing the accused to participate in a rehabilitation program.

It should be noted that this is the first time that the attendance at rehabilitation programs by the accused is provided for as a measure.

The Proving Process, proof is simpler than in a criminal proceeding in which the application of the *nullum crimen, nullum poena sine culpa* principle is applied and therefore any unsubstantiated doubt benefits the accused because of the presumption of innocence. Given that this law aims at protecting and not proving the guilt of the accused, in addition to the evidence provided for in Articles 15, the court may decide to issue a Protection Order based on circumstances, facts and its own conviction.

The timelines are relatively short, 48 hours to assess the request for the Immediate Protection Order as per Article 18, and 15 days for issuing the Protection Order as per Article 16, thereby aiming at ensuring protection efficiently, which is further supported by the provision that the court decision constitutes an executive title from the moment of its declaration as per Article 23, which makes it executable immediately.

What is new in terms of the **execution** of this decision is the involvement in this process of the social workers of local government units along with the bailiff and police officers.

10. Normative Provisions on the Pre-University Education, Law No. 7952, dated 21.06.1995, Article 8, Article 16, Article 43 and Guideline of the Minister of Education On the Elimination of Violence in Schools

Article 36 of the Normative Provisions on the Pre-university Education provides that the individuality and human dignity of pre-school children and students should be respected. They are protected from physical and psychological violence, discrimination and separation.

Physical punishment or humiliating and degrading treatment of children are categorically prohibited in kindergartens and schools. This provision constitutes a good basis for establishing the conformity of the Albanian legislation in the area of education with the CRC and specifically with Article 19, even though its general and declaring character is apparent. However, the Ministry of Education and Science has used this Article of the Normative Provisions as a basis for a series of detailed measures and tasks to be undertaken by the Education Departments and schools across the country, in terms of identifying and analyzing the forms of violence in kindergartens and schools, organizing training and workshops, organizing discussions with teachers to increase their knowledge on how to address issues of violence, developing extra curricular activities with children and students on topics related to violence. Emphasis is placed on using forms and methods of discipline and classroom management that are not based on fear, threats, humiliation or use of physical force. In regards to the latter, Education Departments are obliged to monitor teacher and student behavior and plan extensive discussions with parents, students and teachers.

11. DCM No. 658, dated 17.10.2005 “On Social Service Standards”

The setting of standards for care services in residential institutions, is a step forward, regardless of the fact that the standards are offered in the form of positive guarantees for the protection and safety of the service beneficiaries from all types of abuse. More specifically, within the Standards of Social Services document are objectives and measures that guarantee the standards set by Article 19 of the UN Convention for the protection of children from any form of violence.

Thus, objective 1 provides that the social service providers respect the human rights of their beneficiaries. Also, measure (d) of this objective is aimed at the protection and safety of beneficiaries of services from all types of abuse. In this context, service providers do everything in their power that the beneficiaries feel assured of being able to meet their basic living needs and feel protected from any abuse.

While under objective 3, measure (s), the beneficiaries of the social services are protected from any form of violence. The service beneficiaries feel completely safe and secure with the personnel caring for them and the whole service provider environment. The beneficiaries feel protected from any form of physical, psychological, emotional and sexual violence.

12. Standards of Child Social Care in residential institutions; Ministry of Labor and Social Affairs, August 2005.

First, it is worth noting that the establishment of standards for care services in residential institutions is a step forward, and despite the fact that the standards come in the form of positive guarantees for providing physical, mental and emotional welfare for the child and not as sanctions for the protection of the child from violence, abuse, mistreatment or neglect, they constitute an essential prerogative in implementing the obligation to identify measures that are in line with Article 19 of CRC.

Second, the standards represent an important basis to identify violence, abuse, and neglect in the event that they exist. On the other hand, the standards ensure, as explained in Article 12 of CRC, the importance of the right to appeal for children, (point 9 of the Standards), which applies to protection as well, according to Article 19 of CRC.

The standards address specifically the protection from violence and abuse under point 2 of Standard Criteria No. 9, which states that «the definition of the term abuse is understood by staff and children. This is an important preliminary step to the right of appeal, (something must be understood in order to be reported), while point 3 of this standard provides for the reporting procedures for cases of abuse. The residential center staff should also prepare a plan of action to be taken in case of abuse. According to point 4, it is required to draft and implement a therapy program to treat the trauma the child has experienced following abuse. This program should include guidance for the staff, the person responsible, the child and the abuser.

a. DCM, No. 195, dated 11.04. 2007 «Standards of Social Care Services for Individuals who have been Trafficked or are at risk of Being trafficked in Residential Centers.»

The drafting and adoption of standards for social care services for individuals who have been trafficked and are currently accommodated in residential centers is one of the recent initiatives of the Albanian government and it comes as the fulfillment of the obligation to take concrete measures for assisting victims of trafficking, provided as such in the CRC and other international acts, but also in the National Strategy and Action Plan for the Fight Against Human Trafficking and Protection of the Victims of Trafficking.

This document provides a set of standards among which;

- a. Recognition by the recipient of services of the services that are available to him/her and the rule that the recipient must confirm in accordance with his/her intellectual capacity that he/she has understood what is available and can be provided to him/her. The service is expected to be offered according to age groups except in the cases when the service is provided to families (point 1);
- b. Drafting of an individual care plan (point 2);
- c. The existence of an explanatory document concerning the appeal process (point 3);
- d. Ensuring the protection of personal data by making reference to the general provisions of Law No. 8517, dated 22.07.1999 «On Protection of Personal Data (point 4);
- e. Guaranteeing of physical security and confidentiality by the service provider (point 8);
- f. Cooperation of the service providers with NGOs to provide the necessary services for the beneficiaries, which aims to provide rehabilitation and reintegration (point 10) to the beneficiary in the best way possible.

14. National Strategies.

14.1 Albanian National Strategy on the Fight Against Human Trafficking and the Action Plan of this Strategy, DCM No. 25, dated 22.02.2005 and the National Strategy on the Fight Against Child Trafficking and the Protection of Children Victims of Trafficking and the Action Plan of this Strategy, DCM, No, 368, dated 31.05.2005

Both these national strategies and the respective action plans, mark a significant step in terms of the

measures that the Albanian government has taken to combat the phenomenon of trafficking in human beings in general and that of children in particular.

The National Strategy on the Fight Against Child Trafficking and Protection of Child Victims of Trafficking has as its objectives the identification and prosecution of traffickers, the taking of measures to protect children who are at risk or are already trafficked, in order to provide them with medical, psychological, social and economic assistance, the provision of temporary housing for them and also their long-term rehabilitation and reintegration through family assistance, development of care services and adoption.

This strategy reiterates as general principles the rights of children, such as the best interest of the child, the right to non-discrimination, the respect for the views of the child, the right to information, the right to confidentiality, the right to be protected. It establishes the Criminal Legal Framework (Criminal Code) as its own legal basis.

The Action Plan of the National Strategy Against Trafficking of Children is built on five main pillars which are:

1. Prevention;
2. Protection of the victims;
3. Investigation and sentencing of the traffickers;
4. Assisted voluntary return;
5. Coordination of Anti-Trafficking Partners.

These five pillars, which are detailed in a set of concrete measures among which we can mention:

- **with regards to prevention:** the cross-border cooperation, cooperation with media and NGOs on public awareness, training of police officers, prosecutors and educators, measures to eliminate the dropping out from schools and the reintegration of children;

- **with regards to protection:** accomodating the children in shelters for the initial referral as a preparatory stage for their return to the families, establishment of special facilities for children at the cross-border points, encouragement and support to guardianship/foster services, training of governmental and non-governmental structures engaged in the protection of trafficked children in recognition of the relevant legislation, creation of mobile teams to provide initial services and assistance with the referral of the children, creation of the child protection structure at local level;

- **with regards to assisted voluntary return:** compiling of bilateral agreements with the neighboring countries such as Greece and Italy, creation of a central-level structure - the Responsible Body - which will deal with child protection and assisted return.

14.2 DCM, No. 1104, dated 30.07.2008 «On some additions to the decision No. 80 of the Council of Ministers «On the approval of the Social Protection Sectorial Strategy and the Action Plan for its implementation,» dated 28.01.2008

The policy document on the “Guardianship of Children in Need”, is an important platform for the promotion and application of new alternative services for children in need, based on family services, which offer solutions in the interest of the child. The family-based alternative services, and more specifically the guardianship for children in need, is based on the decentralization process and the establishment of community services, through which the child is supported and assisted within the family environment, by respecting the fundamental rights stated in the Convention on the Rights of the Child. The application of guardianship starts with the demonstration of this service model, through the piloting of the guardianship service in two regions of the country, and further continuing with the application of the guardianship services across the country.

The core element of the social services program is the reintegration of all the citizens and groups in need and in this context, priority is considered the protection and care of the children. Among the

priorities of the government's program are issues related to the creation of a protective environment for children.

The new system of social services is being implemented through the establishment and operation of community social service centers for different categories of children in need.

These new child services address their needs through the following services:

- a. Daily Centers: that provide psychosocial support and treatment, education and counseling for children working in the streets, for maltreated or abused children and children who have dropped out or are at risk of dropping out of school.
- b. Shelters (home): to provide temporary residence for children who are repatriated, children who have emigrated without being accompanied by the parents and children who are victims of prostitution.
- c. Rehabilitation Centers: that provide psychosocial treatment, counseling and vocational training for children and young people, victims of drugs and alcohol in order to re-integrate them into normal life.

Family Homes and Day Centers: that provide services for children with disabilities and orphans, who have been removed from the residential institutions of social care and children who come from families with social problems.

Legal Counseling Centers: that protect the rights of orphaned children or children with social problems.

- f. Multidisciplinary Centers: that offer a wide range of services, including legal counseling, psychosocial support, family assistance, vocational training, information on extreme situations involving high risk.

The guardianship is an alternative service that is provided to the child who lives in a family with social and economic problems or to the child born out of wedlock. The placing of these children into families that care them and want to look after them while their parents and families solve the problems they have, is appropriate and helps to create a living atmosphere similar to that in any family.

Meanwhile, a considerable number of children facing the above-mentioned problems can avoid institutionalization; or can be de-institutionalized and re-integrated into a family environment through the guardianship service, following the steps identified in the National Strategy for Children. The child guardianship is one of the most widespread alternatives of the social services. It has become a genuine social service, in which the role of the social workers is in harmony with the role of various experts who provide solutions in the interest of protection, welfare and development of the child.

Adoption which is regarded as the best alternative for abandoned children and for children whose parents are not known.

Guardianship, as a social service for children in difficulties, has the following objectives:

- a) To ensure continuity of the natural growth in a family environment for children in difficulties, through a substitute family where the child is surrounded by love, attention and family care.
- b) To provide care and development for children in difficulty in line with their age, his/her individual needs and service standards of guardianship.
- c) To enable socialization and reintegration of the child with his/her biological family, relatives/adoptive family and community.

d) To monitor the situation of the child during his/her stay in the guardianship family.

These objectives could be achieved by respecting the following principles:

- a) Respecting the best interest of the child;
- b) Respecting the right of the child to be raised properly and to be educated in a family environment;
- c) Respecting the identity of the child;
- d) Maintaining the relations with the child's biological family;
- e) Placing of siblings with the same guardianship family;
- f) Respecting the opinion of the child;
- g) Avoiding discrimination;
- h) Interdisciplinary and multidisciplinary service;
- i) Tailored intervention for each child;
- j) Access to high quality services.

Beneficiaries of Guardianship Service:

- a. Children abandoned by the biological parents at birth;
- b. Children who are or may be at risk of becoming victims of physical, emotional and sexual abuse, neglect, exploitation while they are under the guardianship of one or two parents, legal guardians and other persons who are responsible for caring for them;
- c. Children, whose parents are unable to exercise the parental responsibility, due to physical and emotional trauma, economic or social crisis;
- d. Children with special needs, who might have been abandoned by parents or whose parents are unable to provide appropriate care for them;
- e. Children who are placed in institutions
- f. Children, whose parents are dead, have been proclaimed as not found or have had their parental responsibility to act removed.

With regards to the identification of cases of children in need of guardianship services, the following serve as information sources: Social service administrators at municipality/commune level, employees of public and private residential institutions, health care services for mother and child, education specialists, public order experts, civil registry offices, community representatives, associations and organizations that provide social services and individuals interested in helping children in need.

The cases are referred to the Social Centers at community level or to the private entities licensed to provide guardianship services, to the Economic Aid offices at the municipality/commune level or to the public and private institutions.

The role of Social Centers at the community level/of the private entities/of the licensed organizations to provide guardianship service consists in:

- a. Registration and consideration of all cases [children] in need of social services, guardianship services, and of all persons/families that show interest in being considered as guardianship families;
- b. Organization of information sessions for interested parties, social services and guardianship services;
- c. Collection of relevant information on the child, the biological family, and the possibility of a guardianship family;
- d. Initial assessment of the children and guardianship families on whether they meet the criteria set for their selection;
- e. Training of guardianship families and their final recommendation;
- f. Sending the documentation on the case (children and guardianship families) to the Multidisciplinary Council in the municipality/commune;
- g. Recommendation on the selection of a guardianship family, which will best fulfill the needs of the child;

- i. Identifying the service needed for the referred case based on the collected information and the criteria of the specific service.

14.3 National Strategy for Children (2005-2010)

This strategy is touches upon the violence against children in general, alongside other elements that affect their lives. Domestic violence is referred to in the second chapter of this strategy «Protection of Children », focusing on the violence against children in the family, school and community. The objectives of this strategy emphasize the establishment of a network of institutions and the taking of other necessary measures to protect children from all forms of violence, exploitation and abuse. This strategy addresses in very general terms the establishment of a system to protect children.

This strategy stipulates as future objectives, the establishment of a monitoring system of child labor for the identification, assessment and addressing the problem of exploitative practices of labor and child trafficking.

14.4 Decision No. 80 of the Council of Ministers «On Approval of the Sectorial Social Protection Strategy and the Action Plan for its implementation,» dated 28.01.2008.

The section on the “Situation of children in need,” acknowledges in general terms both the situation and the need for measures for the vulnerable categories of children for their protection against violence. It stipulates that: “Of special attention are the children at risk of violence, exploitation, neglect or abuse.” Often these children have been identified and there are only a few services that support them. The most vulnerable children are the ones from the socially excluded communities, who have limited access to social services.

14.5 Cooperation Agreement for the creation of a national referral mechanism to identify and improve assistance for victims of human trafficking among the Ministry of Labor and Social Affairs/General Directorate of the State Social Service, National Shelter Center for Trafficked Victims Ministry of Interior/ General Police Directory, Ministry of Foreign Affairs / Directory of Consular Services, Vatra NGO and “Tjeter Vizion” [“Another Vision”] NGO and IOM.

This agreement aims to establish a formalized coordination and standard procedures for the referral of the victims of trafficking by the institutions, which are party to this agreement. Even though this agreement has a generalized title, the mechanism that it establishes is limited to referrals to the shelters and it does not include the referral and the follow up on the victims after they go back to their families and it seems like this kind of referral is not the scope of this agreement.

14.6 Common Order, Ministry of Interior, No. 3394/4, dated 17.5.2006, Ministry of Labor, Social Affairs and Equal Opportunities, No. 1192, dated 19.5.2006, Ministry of Foreign Affairs, No.7590, dated 24.5.2006

In support of the stipulations and obligations underlined in the National Strategy and Action Plan on the fight against child trafficking and the protection of child victims *and* the obligations deriving from the ratification of the bilateral agreement between the Government of Albania and the Government of Greece, and the Agreement on the Establishment of the National Referral Mechanism, the Albanian government has established through this act the Responsible Body. This authority is considered to be a collegial body with representatives from the Ministries that have initiated its establishment. Among the main functions of this Body are the coordination with governmental and non-governmental structures in Albania for the identification, referral and reintegration of the victims and potential victims of trafficking.

14.7 Law No. 9544, dated 29. 5. 2006 « On Ratification of the Agreement between the Council of Ministers of the Republic of Albania and the Government of the Republic of Greece for the protection and assistance of children victims of trafficking»

This agreement aims at facilitating the cooperation between the two countries in combating child trafficking and their protection acknowledging the fact that this phenomenon has been identified as occurring between the two countries for a period of more than 5 years. Article 3 of this agreement provides for the actions and cooperation between the police authorities, which include developing common standards for collecting information and exchanging statistics, creating a database for the referrals made, adopting regulations related to repatriation and the specific procedures at the border-crossings, monitoring the assistance provided to child-victims after their repatriation including their living conditions and the conditions of their family reunification.

Appendix 4

Stages of Child Development

CHART ILLUSTRATING THE DEVELOPMENTAL PROGRESS OF INFANTS AND YOUNG CHILDREN

	I MONTH	3 MONTHS
Posture and large movements	<p>Lies back with head to one side; arm and leg on same side outstretched, or both arms flexed; knees apart, soles of feet turned inwards.</p> <p>Large jerky movements of limbs, arms more active than legs.</p> <p>At rest, hands closed and thumb turned in.</p> <p>Fingers and toes fan out during extensor movements of limbs.</p> <p>When cheek touched, turns to same side; ear gently rubbed, turns head away.</p> <p>When lifted or pulled to sit head falls loosely backwards.</p> <p>Held sitting, head falls forward, with back in one complete curve. Placed downwards on face, head immediately turns to side; arms and legs flexed under body, buttocks humped up.</p> <p>Held standing on hard surface, presses down feet, straightens body and often makes reflex <stepping> movements.</p>	<p>Now prefers to lie on back with head in mid-line. Limbs more pliable, movements smoother and more continuous.</p> <p>Waves arms symmetrically. Hands now loosely open. Brings hands together from side into mid-line over chest or chin.</p> <p>Kicks vigorously, legs alternating or occasionally together. Held sitting, holds back straight, except in lumbar region, with head erect and steady for several seconds before bobbing forwards.</p> <p>Placed downwards on face lifts head and upper chest well up in mid-line, using forearms as support, and often scratching at table surface; legs straight, buttocks flat.</p> <p>Held standing with feet on hard surface, sags at knees.</p>

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<p>Vision and fine movements</p>	<p>Turns head and eyes towards light. Stares expressionlessly at brightness of window or blank wall. Follows pencil flash-lamp briefly with eyes at 1 foot. Shuts eyes tightly when pencil light shone directly into them at 1-2 inches. Notices silent dangling toy shaken in line of vision at 6-8 inches and follows its slow movement with eyes from side towards mid-line on level with face through approximately quarter circle, before head falls back to side. Gazes at mother's nearby face when she feeds or talks to him with increasingly alert facial expression.</p>
<p>Hearing and speech</p>	<p>Startled by sudden loud noises, stiffens, quivers, blinks, screws eyes up, extends limbs, fans out fingers and toes, and may cry. Movements momentarily «frozen», when small bell rung gently 3-5 inches from ear for 3-5 seconds, with 5 second pauses: may «turn» eyes towards sound. Stops whimpering to sound of nearby soothing human voice, but not when screaming or feeding.</p>
<p>Social behavior and play</p>	<p>Cries lustily when hungry or uncomfortable. Utters little guttural noises when content. (Note.-Deaf babies also cry and vocalize in this reflex way, but if very deaf do not usually show startle reflex to sudden noise. Blind babies may also move eyes towards a sound-making toy. Vision should always be checked separately.) Sucks well. Sleeps much of the time when not being fed or handled. Expression still vague, but becoming more alert, progressing to social smiling at about 5-6 weeks. Hands normally closed, but if opened, grasps person's finger when palm is touched. Stops crying when picked up and spoken to. Mother supports head when carrying, dressing and bathing.</p>

	6 MONTHS	9 MONTHS
Posture and large movements	<p>Lying on back, raises head from pillow.</p> <p>Lifts legs into vertical position and grasps foot.</p> <p>Sits with support in cot or pram and turns head from side to side to look around him.</p> <p>Moves arms in brisk and purposeful fashion and holds them up to be lifted.</p> <p>When hands grasped braces shoulders and pulls him/herself up.</p> <p>Kicks his/her legs strongly, alternating them.</p> <p>Can roll over from front to back.</p> <p>Held sitting head is firmly erect and back straight. May sit alone momentarily.</p> <p>Placed downwards on stomach can lift head and chest well up, supporting him/herself on extended arms.</p> <p>Held standing with feet touching hard surface bears weight on feet and bounces up and down actively.</p>	<p>Sits alone for 10-15 minutes on floor.</p> <p>Can turn body to look sideways while stretching out to grasp dangling toy or to pick up toy from floor.</p> <p>Arms and legs very active in cot, pram and bath.</p> <p>Progresses on floor by rolling or squirming.</p> <p>Attempts to crawl on all fours.</p> <p>Pulls self to stand with support.</p> <p>Can stand holding onto support for a few moments, but cannot lower him/herself.</p> <p>Held standing, steps purposefully on alternative feet.</p>
Vision and fine movements	<p>Visually insatiable: moves head and eyes eagerly in every direction,</p> <p>Eyes move in unison: squint now abnormal).</p> <p>Follows adult's movements across room.</p> <p>Immediately fixates on interesting small objects within 6-12 inches (e.g., toy, bell, wooden cube, spoon, sweet) and stretches out both hands to grasp them.</p> <p>Uses whole hand in palmer grasp.</p> <p>When toys fall from hand over edge of cot forgets them.</p>	<p>Very observant.</p> <p>Stretches out, one hand leading, to grasp small objects immediately on catching sight of them.</p> <p>Manipulates objects with lively interest, passing from hand to hand, turning over, etc.</p> <p>Pokes at small sweet with index finger.</p> <p>Grasps sweets, string, etc., between finger and thumb in scissor fashion.</p> <p>Can release toy by pressing against firm surface, but cannot yet put down precisely.</p> <p>Searches in correct place for toys dropped within reach of hands.</p> <p>Looks after toys falling over edge of pram or table. Watches</p>

		activities of adults, children and animals within 10-12 feet with eager interest for several seconds at a time.
Hearing and speech	<p>Turns immediately to mother's voice across the room.</p> <p>Vocalizes tunefully and often, using single and double syllables, e.g., ka, muh, goo, der, adah, er-lah.</p> <p>Laughs, chuckles and squeals aloud in play. Screams with annoyance.</p> <p>Shows evidence of response to different emotional tones of mother's voice.</p> <p>Responds to baby hearing tests at 1 ½ feet from each ear by correct visual localization, but may show slightly brisker response on one side. (Tests employed)-voice, rattle, cup and spoons, paper, bell; 2 seconds with 2-seconds pause.)</p>	<p>Vocalizes deliberately as means of interpersonal communication.</p> <p>Shouts to attract attention, listens, then shouts again.</p> <p>Babbles tunefully, repeating syllables in long strings (mam-mam, bab-bab, dad-dad, etc.)</p> <p>Understands <No-No> and <Bye-Bye>.</p> <p>Tries to imitate adults' playful vocal sounds, e.g. smacking lips, cough, brr, etc. (Immediate localizing response to baby hearing tests at 3 feet from ear and above and below ear level.)</p>
Social behavior and play	<p>Hands competent to reach for and grasp small toys. Most often uses a two-handed, scooping-in approach, but occasionally a single hand.</p> <p>Takes everything to mouth.</p> <p>Beginning to find feet interesting and even useful in grasping.</p> <p>Puts hands to bottle and pats it when feeding.</p> <p>Shakes rattle deliberately to make it sound, often regarding it closely at same time.</p> <p>Still friendly with strangers but occasionally shows some shyness or even slight anxiety, especially if mother is out of sight.</p>	<p>Holds, bites and chews biscuits.</p> <p>Puts hands round bottle or cup when feeding. Tries to grasp spoon when being fed.</p> <p>Throws body back and stiffens in annoyance or resistance.</p> <p>Clearly distinguishes strangers from familiars, and requires reassurance before accepting their advances. Clings to known adult and hides face. Still takes everything to mouth.</p> <p>Seizes bell in one hand. Imitates ringing action, waving or banging it on table, prods the clapper or <drinks> from bowl.</p> <p>Plays peek-a-boo. Holds out toy held in hand to adult, but cannot yet give.</p> <p>Finds partially hidden toy.</p> <p>May find toy hidden under cup.</p> <p>Mother supports at lower spine when dressing.</p>

	12 MONTHS	15 MONTHS
Posture and large movements	<p>Sits well and for indefinite time. Can rise to sitting position from lying down. Crawls rapidly, usually on all fours. Pulls to standing and lets him/herself down again holding on to furniture. Walks round furniture stepping sideways. Walks with one or both hands held. May stand alone for a few moments. May walk alone.</p>	<p>Walks unevenly with feet wide apart, arms slightly flexed and held above head or at shoulder level to balance. Starts alone, but frequently stopped by falling or bumping into furniture. Lets him/herself down from standing to sitting by collapsing backwards with bump, or occasionally by falling forward on hands and then back to sitting. Can get to feet alone. Crawls upstairs. Kneels unaided or with slight support on floor and in pram, cot and bath. May be able to stoop to pick up toys from the floor.</p>
Vision and fine movements	<p>Picks up small objects, e.g. blocks, string, sweets and crumbs, with precise pincer grasp of thumb and index finger. Throws toys deliberately and watches them fall to ground. Looks in correct place for toys which roll out of sight. Points with index finger at objects s/he wants to handle or which interest him/her. Watches small toy pulled along floor across room 10 feet away. Out of doors watches movements of people, animals, motor cars, etc., with prolonged intent regard. Recognizes familiars approaching from 20 feet or more away. Uses both hands freely, but may show preference for one. Clicks two bricks together in imitation.</p>	<p>Picks up string, small sweets and crumbs neatly between thumb and finger. Builds tower of two cubes after demonstration. Grasps crayon and imitates scribble after demonstration. Looks with interest at pictures in book and pats page. Follows with eyes path of cube or small toy swept vigorously from table. Watches small toy pulled across floor up to 12 feet. Points imperiously to objects he wishes to be given. Stands at window and watches events outside intently for several minutes.</p>

<p>Hearing and speech</p>	<p>Knows and immediately turns to own name. Babbles loudly, tunefully and incessantly. Shows by suitable movements and behavior that he understands several words in usual context (e.g. own and family names, walk, dinner, pussy cat, cup, spoon, ball, car). Comprehends simple commands associated with gesture (give it to daddy, come to mummy, say bye-bye, clap hands, etc.). Imitates adults' playful vocalizations with gleeful enthusiasm, May hand examine common objects on request, e.g. spoon, cup, ball, shoe.</p>	<p>Jabbers loudly and freely, using wide range of inflections and phonetic units. Speaks 2-6 recognizable words and understands many more. Vocalizes wishes and needs at table. Points to familiar persons, animals, toys, etc. when requested. Understands and obeys simple commands (e.g. shut the door, give me the ball, get your shoes).</p>
<p>Social behavior and play</p>	<p>Drinks from cup with little assistance. Chews his/her food. Holds spoon but usually cannot use it alone. Helps with dressing by holding out arm for sleeve and foot for shoe. Takes objects to mouth less often. Puts wooden cubes in and out of cup or box. Rattles spoon in cup in imitation. Seizes bell by handle and rings briskly in imitation. Listens with obvious pleasure to percussion sounds. Repeats activities to reproduce effects. Gives toys to adult on request and sometimes spontaneously. Finds hidden toy quickly. Likes to be constantly within sight and hearing of adult. Demonstrates affection to familiar persons. Waves (bye-bye) and claps hands in imitation or spontaneously. Child sits, or sometimes stands without support, while mother dresses.</p>	<p>Holds cup when adult gives and takes back. Holds spoon, brings it to mouth and licks it, but cannot prevent its turning over. Chews food well. Helps more constructively with dressing. Indicates when s/he has wet pants. Pushes large wheeled toy with handle on level ground. Seldom takes toy to mouth. Repeatedly casts objects to floor in play or rejection, usually without watching fall. Physically restless and intensely curious. Handles everything within reach. Closely dependent upon adult's reassuring presence. Needs constant supervision to protect child from dangers of extended exploration and exploitation of environment.</p>

	18 MONTHS	2 YEARS
Posture and large movements	<p>Walks well with feet only slightly apart, starts and stops safely.</p> <p>Runs stiffly upright, eyes fixed on ground but cannot continue to run around obstacles. Pushes and pulls large toys, boxes, around the floor.</p> <p>Can carry large doll or teddy-bear while walking and sometimes two.</p> <p>Backs into small chair or slides in sideways.</p> <p>Climbs forward into adult's chair then turn him/herself round and sit down.</p> <p>Walks upstairs with helping hand. Creeps backwards downstairs.</p> <p>Occasionally bumps down a few steps on buttocks facing forwards.</p> <p>Picks up toy from floor without falling.</p>	<p>Runs safely on whole foot, stopping and starting with ease and avoiding obstacles.</p> <p>Squats to rest or to play with object on ground and rises to feet without using hands.</p> <p>Walks backwards pulling large toy. Pulls wheeled toy by cord.</p> <p>Climbs on furniture to look out of window or open doors, and can get down again.</p> <p>Walks upstairs and down holding on to rail and wall: two feet to a step.</p> <p>Throws small ball without falling. Walks into large ball when trying to kick it.</p> <p>Sits astride large wheeled toy and propels forward with feet on ground.</p>
Vision and fine movements	<p>Picks up small sweets, beads, pins, threads, immediately on sight, with delicate pincer grasp.</p> <p>Spontaneous scribble when given crayon and paper, using preferred hand.</p> <p>Builds tower of three cubes after demonstration.</p> <p>Enjoys simple picture book, often recognizing and putting finger on colored items on page.</p> <p>Turns pages 2 or 3 at a time.</p> <p>Points to distant interesting objects outside.</p>	<p>Picks up pins and thread, neatly and quickly.</p> <p>Removes paper wrapping from small sweet.</p> <p>Builds tower of six cubes (or 6+).</p> <p>Spontaneous circular scribble and dots when given paper and pencil.</p> <p>Imitates vertical line (and sometimes V).</p> <p>Enjoys picture books, recognizing fine details in favorite pictures.</p> <p>Turns pages singly.</p> <p>Recognizes familiar adults in photograph after being shown once.</p> <p>Hand preference becoming evident.</p>

<p>Hearing and speech</p>	<p>Continues to jabber tunefully to him/herself at play. Uses 6-20 recognizable words and understands many more. Echoes prominent or last word addressed to him. Demands desired objects by pointing accompanied by loud, urgent vocalization or single words. Enjoys nursery rhymes and tries to join in. Attempts to sing. Shows his own or doll's hair, shoe, nose.</p>	<p>Uses 50 or more recognizable words and understands many more. Puts 2 or more words together to form simple sentences. Refers to himself by name. Talks to himself continually as he plays. Echolalia almost constant, with one or more stressed words repeated. Constantly asking names of objects. Joins in nursery rhymes and songs. Shows correctly and repeats words for hair, hand, feet, nose, eyes, mouth, shoe on request.</p>
<p>Social behaviour and play</p>	<p>Lifts and holds cup between both hands. Drinks without spilling. Hands cup back to adult. Chews well. Holds spoon and gets food to mouth. Takes off shoes, socks or hat. Indicates toilet needs by restlessness and Vocalization. Bowel control usually attained. Explores environment energetically. No longer takes toys to mouth. Remembers where objects belong. Casts objects to floor in play or anger less often. Briefly imitates simple activities, e.g. reading book, kissing doll, brushing floor. Plays contentedly alone, but likes to be near an adult. Emotionally still very dependent upon familiar adult, especially mother. Alternates between clinging and resistance.</p>	<p>Lifts and drinks from cup and replaces it on the table. Spoon-feeds without spilling. Asks for food and drink. Chews competently. Puts on hat and shoes. Verbalizes toilet needs in reasonable time. Dry during day. Turns door handles. Often runs outside to explore. Follows mother round house and copies domestic activities in simultaneous play. Engages in simple make-believe activities. Constantly demanding mother's attention. Clings tightly in affection, fatigue or fear. Tantrums when frustrated but attention readily distracted. Defends own possessions with determination. As yet no idea of sharing. Plays near other children but not with them. Resentful of attention shown to other children.</p>

	2.5 YEARS	3 YEARS
Posture and large movements	<p>Walks upstairs alone but downstairs holding rail, two feet to a step.</p> <p>Runs well straight forward and climbs easy nursery apparatus; Pushes and pulls large toys skillfully, but has difficulty in steering them round obstacles. Jumps with two feet together. Can stand on tiptoe if shown. Kicks large ball.</p> <p>Sits on tricycle and steers with hands, but still usually propels with feet on ground.</p>	<p>Walks alone upstairs with alternating feet and downstairs with two feet to step. Usually jumps from bottom step.</p> <p>Climbs nursery apparatus with agility.</p> <p>Can turn round obstacles and corners while running and also while pushing and pulling large toys.</p> <p>Rides tricycle and can turn wide comers on it.</p> <p>Can walk on tiptoe.</p> <p>Stands momentarily on one foot when shown.</p> <p>Sits with feet crossed at ankles.</p>
Vision and fine movements	<p>Picks up pins,, threads, etc., with each eye covered separately.</p> <p>Builds tower of seven (or 7+) cubes and lines blocks to form a train.</p> <p>Recognizes minute details in picture books.</p> <p>Imitates horizontal One and circle (also usually T and V).</p> <p>Paints strokes, dots and circular shapes on an easel.</p> <p>Recognizes himself in photographs when shown once.</p>	<p>Picks up pins, threads, etc. with each eye covered separately.</p> <p>Builds tower of nine cubes, also (3½) bridge of three from model.</p> <p>Can close fist and wiggle thumb in imitation, right and left.</p> <p>Copies circle (also V, H, T).</p> <p>Imitates cross. Draws man with head and usually indication of features or one other part.</p> <p>Matches two or three primary colors (usually red and yellow correct, but may confuse blue and green). Paints <pictures> with large brush on easel. Cuts with scissors.</p>
Hearing and speech	<p>Uses 200 or more recognizable words but speech shows numerous infantilisms.</p> <p>Knows full name.</p> <p>Talks intelligibly to himself at play concerning events happening here and now.</p> <p>Echolalia persists.</p> <p>Continually asking questions beginning <What?>, <Where?></p> <p>Uses pronouns, I, me and you.</p>	<p>Large intelligible vocabulary but speech still shows many infantile phonetic substitutions.</p> <p>Gives full name and sex, and (sometimes) age.</p> <p>Uses plurals and pronouns.</p> <p>Still talks to him/herself in long monologues mostly concerned with the immediate present, including make-believe activities. Carries on simple conversations and verbalizes past experiences.</p>

	<p>Stuttering in eagerness common.</p> <p>Says a few nursery rhymes.</p> <p>Enjoys simple familiar stories read from picture book.</p>	<p>Asks many questions beginning <What?></p> <p><Where?>, <Who?></p> <p>Listens eagerly to stories and demands favorites over and over again.</p> <p>Knows several nursery rhymes.</p>
Social behavior and play	<p>Eats skillfully with spoon and may use fork. Pulls down pants or knickers at toilet, but seldom able to replace them. Dry through night if lifted.</p> <p>Very active, restless and rebellious.</p> <p>Throws violent tantrums and when thwarted or unable to express urgent needs and less easily distracted.</p> <p>Emotionally still very dependent upon adults. Prolonged domestic make-believe play (putting dolls to bed, washing clothes, driving motor cars, etc.) but with frequent reference to friendly adult.</p> <p>Watches other children at play interestedly and occasionally joins in for a few minutes, but little notion of sharing playthings or adult's attention.</p>	<p>Eats with fork and spoon.</p> <p>Washes hands, but needs supervision in drying.</p> <p>Can pull pants and knickers down and up, but needs help with buttons. Dry through night.</p> <p>General behavior more amenable. Affectionate and confiding. Likes to help with adult's activities in house and garden.</p> <p>Makes effort to keep his surroundings tidy. Vividly realized make-believe play including invented people and objects.</p> <p>Enjoys floor play with bricks, boxes, toy trains and cars, alone or with siblings. Joins in play with other children in and outdoors.</p> <p>Understands sharing playthings, sweets, etc. Shows affection for younger siblings. Shows some appreciation of past and present.</p>

	4 YEARS	5 YEARS
Posture and large movements	<p>Turns sharp corners running, pushing and pulling.</p> <p>Walks alone up and downstairs, one foot per step.</p> <p>Climbs ladders and trees.</p> <p>Can run on tiptoe.</p> <p>Expert rider of tricycle.</p> <p>Hops on one foot.</p> <p>Stands on one foot 3-5 seconds.</p> <p>Arranges or picks up objects from floor by bending from waist with knees extended.</p>	<p>Runs lightly on toes.</p> <p>Active and skilful in climbing, sliding, swinging, digging and various <stunts>.</p> <p>Skips on alternative feet.</p> <p>Dances to music.</p> <p>Can stand on one foot for 8-10 seconds.</p> <p>Can hop 2-3 yards forwards on each foot separately.</p> <p>Grips strongly with either hand.</p>

<p>Vision and fine movements</p>	<p>Picks up pins, thread, crumbs, etc., with each eye covered separately. Builds tower of 10 or more cubes and several bridges of three on request. Builds three steps with six cubes after demonstration. Imitates spreading of hand (right or left) and bringing thumb into opposition with each finger in turn. Copies cross (also V, H, T and 0). Draws man with head, legs, features, body and (often) arms. Draws a very simple house. Matches and names four primary colors correctly.</p>	<p>Picks up minute objects when each eye is covered separately. Builds three steps with six cubes from model. Copies square and triangle (also letters: V, T, H, O, X, L, A, C, U, Y). Writes a few letters spontaneously. Draws recognizable man with head, body, legs arms and features. Draws simple house with door, windows, roof and chimney. Counts fingers on one hand with index finger of other hand. Names four primary colors and matches 10 or 12 colors.</p>
<p>Hearing and speech</p>	<p>Speech completely intelligible. Gives connected account of recent events and experiences. Gives name, sex, home address and (usually) age. Eternally asking questions <Why?> <When?> <How?> and meanings of words. Listens to and tells long stories sometimes confusing fact and fantasy.</p>	<p>Speech fluent and grammatical. Loves stories and acts them out in detail later. Gives full name, age and home address. Gives age and (usually) birthday. Defines concrete nouns by use. Asks meaning of abstract words.</p>
<p>Social behavior and play</p>	<p>Eats skillfully with spoon and fork. Washes and dries hands. Brushes teeth. Can undress and dress except for back buttons, laces and ties. General behavior markedly self-willed. Inclined to verbal impertinence when wishes crossed but can be affectionate and compliant. Strongly dramatic play and dressing-up favored. Constructive out-of-doors building with any large material to hand. Needs other children to play with and is alternately co-operative and aggressive with them as with adults. Understands taking turns.</p>	<p>Uses knife and fork. Washes and dries face and hands, but needs help and supervision for rest. Undresses and dresses alone. General behavior more sensible, controlled and responsibly independent. Domestic and dramatic play continued from day to day. Plans and builds constructively. Very complicated floor games. Chooses own friends. Co-operative with companions and understands need for rules and fair play. Appreciates meaning of time in relation to daily programme.</p>

	Shows concern for younger siblings and sympathy for playmates in distress. Appreciates past, present and future.	Tender and protective towards younger children and pets. Comforts playmates in distress.
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Appendix 5

List of Forms and Documents that Should be on each Child's File

Each child must have his/her own individual file that is self-contained and only contains the papers and information relevant to him/her and the family's situation. This applies to both electronic versions and paper files.

The file will have separate sections for each type of document, so that it is easy for other Child Protection Workers to find information if the child's worker is not available.

Forms and recordings should, where possible, be completed on a computer and the final document printed out for the paper file. This will substantially reduce the duplication of work undertaken by the Child Protection Worker and also make the file much easier to read.

1. Essential Information – top sheet;
2. Referral/Identification Form – completed;
3. Consent to Sharing Information Sheet – completed by child and/or parent or guardian;
4. Child Protection Worker's Assessment Report and Risk Checklist on the child – completed by Child Protection Worker;
5. Minutes of Initial Child Protection Meeting with Individual Child Protection Plan for the Child;
6. Recording Sheets – all actions taken by the Child Protection Worker; to include information gathered during assessment; telephone calls made and their content; visit to the child and/or family members, relatives or other professionals, content of conversation and decisions or actions agreed at the time.
7. Review Child Protection Meeting Forms plus new Individual Child Protection Plan – to be completed at least every three months;
8. Medical Reports or other professionals reports on the child;
9. Copy of Child's birth certificate;
10. Other documents or drawings of the child that are relevant to his/her background or work undertaken with him/her;
11. Child Protection Closing Report – to be completed at the time a decision is taken to close the case as no risk to the child remains;
12. Photograph of the child (optional);
13. Genogram of the child and/or family.

Appendix 6

Case Identification/Referral Form

Identification Number:

I. Identification/Referral

Date (date/month/year):		
Time: Means of Referral:		
Means of Referral:	Completed referral form Visit to the CPU Office	Telephone Identified by CP Worker

2. Name of the Child

Name:		
Age:	Date of Birth	
Sex	Male	Female
Address where he/she lives:		
Telephone Number:		
Who does the child live with?	Parents Residential Institution Guardian	Other relative Foster Carer Has no permanent residence Don't know
Is the child aware of this referral?	Yes	No

3. Parent's Details

Name of Mother:		
Location of the Mother:		
Telephone Number:		
Name of Father:		
Location of the Father:		
Telephone Number: Who else lives in the home with the child? (Include any other adults or siblings who share the same address. Give name and age if known.)		
If the child is not living with his/her parents, who do they live with?		
Name:		
Relationship:		
Address		
Telephone Number:		
Do the parent(s) or carers of the child know about this referral?	Yes	No
		Don't know

4. Details of identifying or referring person – Who referred this case?

Name:

Age:

Relationship to the Child:

Address (Home/Work):

Telephone Number:

Institution and position:

Does the person want to remain anonymous?

Yes

No

5. Description of the reason(s) for the referral: (Include details of times, places, occurrences, who is alleged to have caused the harm, any sign or marks on the child)

6. Other professionals or organizations involved with this child

Family Doctor:

Address:

Telephone Number:

Kindergarten or School:

Director or Teacher's Name:

Address:

Telephone Number:

Name of Organization:

Position:

Address:

Telephone Number:

Name of Organization:

Position:

Address:

Telephone Number:

7. Child Protection Worker's Comments -

Is this child at risk of immediate harm? Yes No

If YES, what immediate action do you need to take to ensure the child is protected?

If NO the child is not at immediate risk, does this child's situation require further investigation?
Yes No

If NO, has the referrer been advised from where they can seek appropriate support?
Yes No

If YES, Date the Assessment will begin

8. Signature of the Child Protection Worker making this referral.

Date:Name/ Surname/Signature

Signature of the Child Protection Supervisor.

Date:Name/ Surname/Signature

Appendix 7

Essential Information (to be the front sheet of a child's file)

Identification Number:
Child's Name:
Child's Date of Birth:
Age:
Child's Status: **Living with parents or family** **Living with Foster Parent(s)**
 Living in Residential Institution **Living on the Streets**
 Orphan **Other**
Level of Child Protection: **Low** **Medium** **High**
Child's Current Address:

Telephone Number: **Mobile Number:**
Name of Current Carer:
Address of Carer:
Telephone Number: **Mobile Number:**
Parents Name and Addresses: (If different from above
Mother:
Address:
Telephone Number: **Mobile Number:**
Father:
Address:
Telephone Number: **Mobile Number:**
Child Protection Worker's Name:
Date Form Updated:

Appendix 8

Logo of Municipality or Commune

Consent to Sharing Information

The Child Protection Unit in Municipality/Commune is responsible for ensuring the welfare and rights of all children living in the Municipality/Commune of

To ensure that each child is provided with appropriate services it is often necessary to share personal information gathered from a child and the family members with other organizations.

This form requests your agreement to the sharing of essential information gathered by the Child Protection Worker assigned to your child's case with professionals who may be able to assist in the Child Protection work.

I (*Name of child and/or parent or guardian*) agree that the Child Protection Worker assigned to the Child Protection Unit of theMunicipality/Commune can share essential information regarding (*name of child*) with public administration departments, police or non-governmental organizations as deemed necessary to protect the welfare and rights of the named child.

Signed

Child/Parent/Guardian

Signed

Child Protection Worker

Date

Appendix 9

Collecting Information for Your Assessment

The Child Protection Worker, in order to begin his/her work with a family he/she will need to collect information to assess the situation and make appropriate protection plans. The following headings are reminders of the areas to cover when collecting the information and making an assessment.

I. Family details and household composition

I.1 Household composition

It is important to include details of everyone who lives in the household, even if they are not members of the family.

The following details should be obtained:

- a. Full name, including any previous names (e.g. birth names, previous married names or aliases);
- b. Date and place of birth;
- c. Marital status;
- d. The people in the household, e.g. parents, grandparents, friends, lodgers;
- e. Does everyone usually live as part of the household, or are some staying just temporarily?
- f. The full address and mobile telephone number if the family has one;
- g. Previous address or place the family lived in prior to moving to this location.

I.2 The child or children living in the family

The Child Protection Worker shall include the following areas for each child (under the age of 18 years old) in the family or household, whether they are living at home, are at a boarding school, living with other relatives or elsewhere.

- a) The child's full name;
- b) The child's place of birth and date of birth;
- c) The child's developmental history, including the pregnancy and birth;
- d) The child's health, from birth up to now;
- e) The child's physical, emotional, intellectual and social development;
- f) The child's school attendance and academic achievement;
- g) Can the child read or write?
- h) Does the child have any special needs, for example, a physical or mental disability, sight or hearing impairment, developmental delay or emotional difficulties?
- i) The relationships between the child and his or her parents or other members of the household including any other child or children;
- j) Does the child have any strong relationships with other extended family members or friends of the family?
- k) Who are the child's friends?
- l) Does the child perform any household chores or undertake work? If the child works how many hours per day and what does he/she do?
- m) Has the child been in conflict with the law? Why and what happened to him/ her?
- n) Does anyone have any concerns about the child?
- o) Who takes most of the responsibility for the care of the child?
- p) Has the child ever lived in an institution or elsewhere? If so, where was the child, for what period of time and what were the reasons?
- q) What are the parents' wishes and plans for the child?

1.3 Other family members

There may be other members of the family, adults or children, who do not live as part of the household.

Are both parents living as part of the household? If not, remember to cover the following areas:

- a. Name and date of birth of the absent parent/guardian; has the absent-parent ever lived as part of the household? If so, when did he/she leave, and what were the reasons?
- b. Does the absent parent/guardian have any contact with the child or children?
- c. Where is the absent parent/guardian now (obtain the address if possible), and what are his/her circumstances?
- d. Are there any other children of the family who do not live as part of the household?
- e. Are any children missing and where do they live (if known by the family)? If so, when did they leave or when and where did the family last see them and what were the reasons or circumstances? Would the family like to find the child or be reunited with him/her if they can be located?
- f. Have any children been adopted? If so, who adopted them (if the family knows)? When and what were the reasons? Is there any contact with these children?
- g. Are there any children who are now grown-up and living elsewhere? If so, what are their circumstances?
- h. Has any child in the family died? If so, when did this happen and what was the cause?

2. The family's ethnic origin, language and religion

What is the family members' ethnic origin? What language(s) do they speak? What is their religion? How important is their religion to them? Do all the members of the family read and write?

3. The extended family and other significant people

3.1 Which members of the extended family is this family close to? How often do they see each other or visit one another? Remember to include names and addresses and the relationship, (e.g. sister, brother, aunt).

3.2 Are there any family members or neighbors that this family has difficult relationships with? Who are they and what is the cause of the problem?

3.3 Do any of the family members belong to a religious group, a self-support group or a committee or association? Does this group provide support and assistance to the family member?

4. Professional Contacts

Do any of the members of the family have regular meetings or discussions with a professional? If they do, please gather the names, professional title and organization and reason for the contact. The family's professional contacts may include:

- b. Kindergarten;
- c. School;
- d. Clinic or health centers;
- e. Hospitals - maternity, pediatric;
- f. Community groups or associations;
- g. NGOs etc.

5. Employment

- a) Are the adults in the family employed?
- b) Who do they work for, what work do they do, is the work regular and do they receive their salary on time?
- c) Do they have a profession or skill that they cannot presently find work in?
- d) If they are currently not working have they been employed in the past?
- e) Would they be prepared to be retrained? What skills or interests do they have?

6. Financial circumstances

What is the total family income? (Include any salaries received or casual work payments and any governmental allowances or incomes received from family members outside of Albania.)

- a) Do any members of the family receive a pension or state allowance/financial aid? Are they eligible for a pension or allowance/financial aid?
- b) Does the family have any debts?
- c) How much and on what do the family spend their income? (Include here: rent for housing, food, electricity, water, gas, school fees, clothes, transport etc.)

7. Material conditions

Child Protection Worker should remember to include the following areas. Be clear how the material conditions affect the welfare of the child or children:

- a) The type of accommodation (for example: room, temporary shelter, or house). Is the property owned or rented? How many rooms are there?
- b) Are the rooms adequately furnished and clean?
- c) Where do the children sleep? Are there enough blankets?
- d) How does the family cook?
- e) Is there electricity?
- f) What is the family's source of water? If the water has to be collected who collects it, how far away from home do they have to go, how long does this take? What are the sanitary arrangements?
- g) Does the family have animals? What and how many? Who looks after them or takes them to graze?
- h) Does the family have land? Does the family grow vegetables and crops to provide food or to sell?

8. Background family history

Child Protection Worker should include the following areas for each parent/guardian, step-parent and anyone else who is bringing up the child/children on a long-term basis, e.g. the grandparents or other relatives:

- a) Where were they born, where did they grow up, have they returned recently to this location?
- b) What was their childhood like, did they live with their parents and brothers and sisters?
- c) What level of education did they achieve? What is their attitude to education for boys and girls?
- d) Were they as children ever separated from their parents, what were the circumstances?
- e) Their physical and mental health. Do they take any regular medication?
- f) Do any of the adults have a disability, either intellectual or physical or both?
- g) How does this affect their ability to undertake normal activities?
- h) What is the marital relationship like? Has either person been married before? What happened to the marriage?
- i) Does anyone have any problems with alcohol? Have they had alcohol problems in the past?
- j) Have any of the adults been imprisoned or charged with an offence? Provide details.
- k) Do they have any children from previous relationships who have not already been mentioned under section 1.1 or 1.2? If so, where are these children and what are their circumstances?
- l) Their present relationship with their husband/wife/partner/extended family members.
- m) Is there any violence between the adults or major areas of disagreement?
- n) What are the adults' views on discipline for their children? Who usually disciplines the children? How were the children disciplined when they have misbehaved?

9. The family's views

- a) How do the various members of the family see this situation?
- b) What are the problems as described by the various family members?
- c) What are the family's wishes and what do they think would help them? Remember to include the children's views, taking into consideration their age and understanding.

- d) Has the family asked any other organization or welfare department for assistance? Which one and what was the request?
- e) Have you talked to all members of the family who may be relevant, including those who live elsewhere?

10. Information from other sources and professionals

As part of the assessment, the Child Protection Worker will need to collect further information from professionals and other sources so that he/she can build a holistic picture of the child and family' situation. Any organization or person in Section 4 "Professional contacts", should be visited to gather the view of the child or family situation.

11. Child Protection Assessment and Plans

Through the information the Child Protection Worker collects, the observations he/she makes of the child and adult's behavior during the visits and the work he/she undertakes with the family, the adults and the children, he/she will be able to form an assessment of the family's situation and so draw up appropriate plans for future work with the child and family.

Appendix 10

Child Protection Worker's Assessment Report

Child's Name

Child Protection Worker undertaking Assessment

Period of Assessment From **End**

Child's Development (This should include physical, emotional, intellectual and social development. Any areas of delayed development including delayed speech, mobility, learning or delayed growth.)

Child's Education (This should include information on any kindergartens or schools the child has attended. The child's attendance record, periods of absence, his educational abilities and any problems or concerns regarding his/her education. Any recent changes in behavior or attendance or achievement should be particularly noted.)

Child's Health (include here any disabilities) (This should include information from the child's birth to current times. Has the child had all the essential vaccinations, has the child had regular dentist check-ups, does the child need glasses, does the child require any regular medication for illnesses, like diabetes, asthma, eczema? Has the child had any operations or admissions to hospital, any broken limbs or unexplained injuries? If the child has a disability how does this affect his/her life and abilities; does he/she need any additional equipment or assistance?)

Child's Social Relationships within and outside the Family

Parents and Family Relationships

Family Finances & Expenditure

Family's Living Conditions (This should include the housing, number of rooms, sanitary facilities, electricity, water, heating, furniture, cooking and food storage facilities and outside space.)

Other Professional's Opinions (This should be used to record the information gathered from all professionals who have been contacted regarding the child or any member of the family that is not recorded elsewhere. This could be information on domestic violence reports to the police, reports of drunkenness in the street etc.)

Family and Child's Views of the Situation (This space to be used for the child and/or family's views of the problems they face and or their explanation of any harm that has been done to the child. The problems could be viewed very differently than those of the Child Protection Worker.)

Community Resources Available (List here the resources that are available in the family's community and those that they do use. This includes schools, libraries, parks, clubs, culture centre, health centre, kindergarten, mosque, church, NGOs.)

Strengths and Weaknesses of the Family (List the strengths the parents/carers have in order to care appropriately for the child and the weaknesses in their ability to provide adequately for the child's needs.)

Child Protection Worker's Opinion and Observations (This will include the Child Protection Worker's observations of the child and his/her parents/carers attitudes and care of the child during the assessment period. This and the analysis of the information gathered will enable the Child Protection Worker to give his/her opinion as to the types of risks that are present to this child.)

What to Do to Protect and Assist the Child and this Family. (Recommendations of the Child Protection Worker for the Individual Child Protection Plan. This relates only to the assessment undertaken by the Child Protection Worker.)

Date for Child Protection Meeting:

Child Protection Worker Signature:

Date

Child Protection Worker's Supervisor's Comments

Child Protection Worker's Supervisor's Signature

Date

Parent(s)/Carers Comments

Parent(s)/Carers Signature

Date.....

Part 2			
Identified Risk Factors			
CHILD			
Abuse/Violence			
Physical	suspected	abuse confirmed	at risk
	documented	family based	stranger
	committed in institution		

Sexual	suspected	confirmed	at risk
	documented	family based	stranger
	committed in institution		
Psychological/ Emotional	suspected	confirmed	at risk
	documented	family based	stranger
	committed in institution		
Neglect	suspected	confirmed	at risk
	documented	family based	stranger
	committed in institution		
Social Situation	informal work	harmful	at risk of exploitation
	works in family business	apprenticeship	number of hours worked per week
Education	attends regularly	erratic attendance	frequent absences
	never attended school	dropped out of school	illiterate
	partially literate		
School Performance	good academic achievement	average achievement	poor level of achievement
	erratic performance		
Vocational Training	government scheme	NGO course	waiting for a place
	no suitable courses available		
Trafficking	suspected	at risk	previously trafficked
	returned to family previously	family members involved	third parties involved
	police investigating		
Unaccompanied Minor	externally	internally in Albania	
Migration	externally	internally in Albania	unregistered in current location
Alcohol/Drugs or Substance Abuse	what substance?	suspected	confirmed user
	frequency or level of use		

HEALTH

Physical	healthy		cuts, bruises seen	broken limbs or bones
	heart condition	diabetes	asthma	
	chronic condition	regular education taken	not examined	
Mental	no problems		not examined	mental health disorder – state type
Disability	physical		hearing impairment	sight impairment
	learning disability – type	mobility-independent	mobility – needs assistance with daily living needs	

PSYCHOLOGICAL ISSUES

Behavior	aggressive		withdrawn hyperactive	
	runs away from home or school	self harms		
Emotional	anxiety		fearful (of what) jealousy	
	lack of self esteem	sad/ depressed	bedwetting or soiling	
	eating disorder	sleep disorder	poor or limited concentration	
Trauma	grief from loss	major accident		natural disaster
	onset of disability			

Other Factors Development

	development within average scale for age	delayed speech	physically delayed	
	emotionally delayed			

Teacher/Pupil Relationship	good		areas of conflict-type discrimination	
	physical violence	emotional abuse		
Peer to Peer Relationships	bullied		physical violence threats both physical and/or psychological	
	suspected	confirmed	at risk	
FAMILY				
Parents/Carers	married and living together		parents are separated divorce case pending	
	parents divorced	single parent	widow/ widower	
	one parent deceased	both parents deceased	mother and stepfather	
	father and stepmother	other relative –state relationship		
Siblings	only child		eldest child youngest child	
	brothers, how many?	sisters, how many?	other children living in family – relationship?	
	adopted	fostered		
Health	parents have mental health illness		both or one parent has a physical or learning disability both or one parent has a drug or alcohol problem	
Family Violence	suspected		high level and frequency police reports	
	hospital treatment	statements of violence with drawn	prosecution pending	
Income	extreme poverty		chronic long term poverty	receive economic aid only

	supported by NGOs	beg	remittances from family overseas	
	keep animals and grow food			
Employment	regular		part-time casual/informal	
	none	adult has a disability and cannot work	receives a retirement or disability pension	
Housing	secure home		rented home homeless	
	live on the street		insecure or inadequate shelter multiple occupancy building	
Blood Feud Revenge	subject of revenge		isolated in home extended family members involved in revenge	
	children do not attend school or receive health care			
Discrimination (ethnic, gender, disability)	suspected		confirmed at risk	
	high frequency	limited		
Environmental or Community Resources				
Leisure Activities	available close to family home		none available in community limited availability	
	billiard halls	coffee bars	library	
	sports field	culture centre	cinema	
Faith or Support Networks	none		NGOs church	
	mosque	women's association	youth group	

Identified Priority Risk Factors:

Child:

Risk Factor:	Risk level 1 to 4			
1.	1	2	3	4
2.				
3.				

Family or Parenting Capacity

Risk Factor:	Risk level 1 to 4			
1.	1	2	3	4
2.				
3.				

Environmental or Community:

Risk Factor:	Risk level 1 to 4			
1.	1	2	3	4
2.				
3.				

Appendix 11

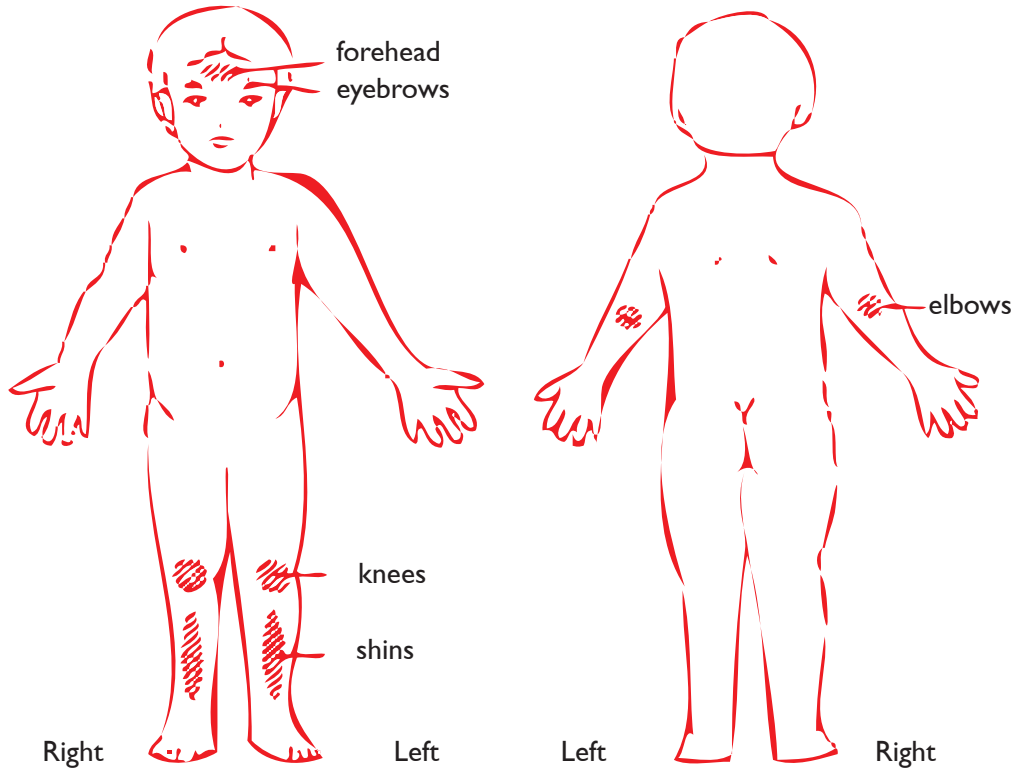
Recording Sheet

Child's Name:		
Date	Action	Signature
	(To include: reason for visit, e.g. assessment, monitoring the care of the child; persons seen or spoken to; information gathered, observations of the child's behavior or the interaction between parent and child; decisions; Child Protection Worker's opinions/ observations etc.)	

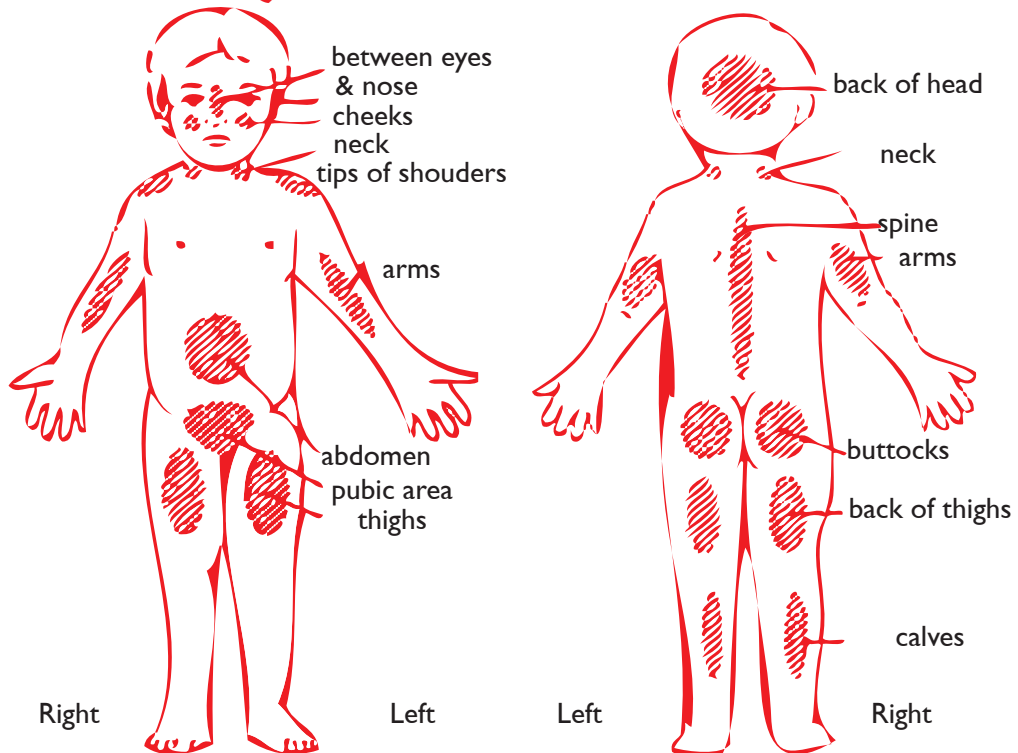
Appendix 12

Physical Injury diagram

COMMON SITES FOR BRUISES



QUESTIONABLE SITES FOR BRUISES



Appendix 13

Physical, sexual, psychological/emotional abuse and neglect

i. Physical Abuse

Physical Indicators	Behavioral Indicators	Behavior /Attitude of the Care Taker
<p>Suspicious bruises or marks:</p> <ul style="list-style-type: none"> • On face, lips, mouth • On chest, back, hips, thighs, tops of arms • Of different ages, colors and recovery • Grouped together, those forming specific shapes, or reflect the form of the object used (electrical cable, belt, fingers) • On parts of the body not easily bruised; noticed after a child has not been seen or after the weekend or vacations <p>Inexplicable scratches or lacerations in or around the:</p> <ul style="list-style-type: none"> • Mouth, lips, eyes, ears, neck or body • Genital organs • Many scratches or lacerations of various ages and stage of recovery <p>Unexplained abdominal injuries such as:</p> <ul style="list-style-type: none"> • Swelling • Vomiting • Blood in faeces or urine • Tenderness 	<ul style="list-style-type: none"> • Child believes he/she deserves to be punished • Careful and watchful in the company of adults • Nervous when other children cry • Extremes of behavior • Aggressive or withdrawn • Scared by their parents • Scared to go home • Reports being harmed by his/her parent(s) • Empty or frozen look • Stays without moving and does not look around (for babies) • Answers with words of one syllable • Early or inappropriate behavior for the stage of development or age • Manipulative behavior to attract other's attention • Makes only superficial relationships • Looks for affection from anyone, without considering the circumstances • Low self esteem 	<ul style="list-style-type: none"> • Does not seem concerned about the injuries of the child • Provides false information on how the wounds were inflicted • Tries to hide the wounds • He/she hesitates when giving information on child's wounds • Uses a harsh discipline for the misbehaved child and inappropriately to the age and child's level of understanding • Has unrealistic expectations about the child • Has negative perceptions about child, considers them "monsters" or that they do everything wrong.

ii. Sexual Abuse

Physical Indicators	Behavioral Indicators	Behavior /Attitude of the Care Taker
<ul style="list-style-type: none"> • Difficulties in walking or sitting still • Pregnancy • Masturbation • Pain on urination or defecation • Bruises, bleeding or tears to the genital organs, the vagina or anus • Oral infections in children • Sexually transmitted diseases in children and adolescents • Low functioning of sphincter muscle • Sexualized play • Lack of sexual inhibitions towards adults • Return of wetting and soiling after the child has gained control of these bodily functions 	<ul style="list-style-type: none"> • Withdrawn or overtly affectionate to adults and/or strangers • Inappropriate sexual behavior and knowledge • Poor relationships with peers • Repeated delinquent behavior • Frequently runs away from his/her home or institution • Self-harms • Abuses alcohol or drugs • Dramatic change in school performance; school grades fail, unjustified absences • Depressed • Attempts to commit suicide • Poor or disturbed sleeping patterns, including: bad dreams, nightmares, sleeplessness • Eating disorders, bulimia, anorexia • Sexually active at a young age • Low self esteem • Lack of trust in others • Masturbation in inappropriate places and publicly • Reports that he/she has been sexually interfered with by the caretaker • Confused boundaries between appropriate behavior of a child and/or adult 	<ul style="list-style-type: none"> • Jealous of attention paid by husband/wife to one child in the family • Parent/adult continuously gives presents to one child in the family • The partner has a chronic disease • Parent/adult suffers from alcohol or narcotic abuse • Parent/adult does not accept responsibility for the abuse of the child places blame onto the child and relates it to the child's behavior • Parent/adult dresses the child inappropriately • Parent/adult has poor/limited control over the own impulses/ desires • Marital problems • Cold and estranged from the child and does not show affection or love for the child, apart from when he/she sexually abuses him/her • Over controls the child's movements, opportunities to speak with others or mix with friends • Denies inappropriate sexual feelings or actions with the child • Limited verbal skills; • Has poor relationships with his/her peers • Family is isolated and does not integrate with neighbors or community • Boundaries between adults and children are vague and frequently crossed • Low self esteem • Parent/adult has been sexually abused during his/her own childhood

iii. Psychological/Emotional Abuse

Physical Indicators	Behavioral Indicators	Behavior /Attitude of the Care Taker
<ul style="list-style-type: none"> • Speech disorders or delayed speech • Delayed or stunted physical development • Non-organic failure to thrive • Hyperactive behavior ; limited attention span • Withdrawn, anxious, isolated • Does not make eye contact • Empty or frozen facial appearance • Lack of emotions or mixed emotions • Trips up over own feet • Fussy eater • Seeks attention from anyone • Needs constant approval • Picks at own skin until it is sore or bleeds • Soiling or wetting • Nightmares 	<ul style="list-style-type: none"> • Sleeping disorders • Eating disorders • Unusual fears and anxieties • The child doesn't change or moderate his/her facial expressions • Extremely obedient or passive • Aggressive • Clingy or does not allow others to get close to him/her • Introvert • Believes others do not like/love him/her • Makes negative comments about him/herself and his/her behavior (“I never do things right”) • Difficult to describe him/herself in a positive way • Needs to conform to the desires of parents and receive their praise or acknowledgement • Inappropriate social behavior or responses • Lack of trust • Believes he/she should be punished • Attempts suicide or has suicidal thoughts. 	<ul style="list-style-type: none"> • Blames/teases and denigrates the child • Is cold and distant and does not show the child affection or warmth • Doesn't show a positive attitude or behavior towards the child • Provides negative descriptions or explanations about the child's behavior • Treats the children in the family unequally • Is not interested in the child's problems or minimizes them • Has alcohol or substance dependency • Has had an abusive or neglected childhood • Parent/adult admits that they do not know how to show positive affection to the child • Parent/adult is not able to make long-lasting personal relationships • Parent/adult is in an abusive relationship • Family home is disrupted by domestic violence • Unable to meet the child's need or respond to them consistently or appropriately • Parent/adult puts his/her needs/desires above those of the child • Gives harsh and/or destructive answers to the child's requests • Threatens and scares the child • Threatens the child with sending him/her away or with severe punishments • Is not aware of the basic needs of the child or believes the child can meet his/her own needs by him/herself • Sees the child as evil, problematic, mean, and manipulative • Believes the child is responsible for the negative reactions of the parent/adult • Impulsive unable to be consistent in his/her responses to the child • Has low self esteem or lacks confidence in his/her abilities to care for the child • Uses projection and blames the child for his/her problems • Feels out of control, has no support networks or coping skills

iv. Neglect

Physical Indicators	Behavioral Indicators	Behavior /Attitude of the Care Taker
<ul style="list-style-type: none"> • Underweight or short for his/her age and stage of development • Failure to thrive • Malnourished or always hungry • Poor or a lack of daily hygiene, dirty, smelly • Inappropriately dressed for the weather, housing conditions or activity • Lack of clothing, shoes, coat • Lack of medical care and medication if required • Lack of supervision during play, around an open fire or wood stove, near water etc. • Child not attending school • Child not vaccinated • Lack of boundaries, social rules or daily routines • Delayed speech • Lack of play and stimulation • Abandonment • Hard labour, working in the fields or on the streets 	<ul style="list-style-type: none"> • Steals or begs for food • Often falls asleep at school • Limited or poor school attendance; comes late and goes early • Always tired • Appears sad, alone or unhappy • Difficulty in making and keeping friends • Reluctant to talk about home life or take friends home • Behavior problems • Seeks adult company or praise • In trouble with the law • Drug or alcohol use • Learned helplessness • Inappropriate need for affection, clingy or touching • Undertakes the responsibilities of adults • Murmurs, moans or sings • Is found on the streets • Hangs around school or other centers • Has thought or attempted suicide • Regressive behavior , such as sucking his/her fingers, soiling, wetting 	<ul style="list-style-type: none"> • Parent/adult expresses apathy and lacks emotions • Describes a chaotic home life • Parent/adult has a chronic disease or disability • Parent/adult is depressed or suicidal • Shows a low level of motivation to changing things in the home or in his/her life • Parent/adult shows little understanding of the needs of the child or how he/she can meet them • Puts his/her feelings and needs before that of the child • Parent/adult had a disruptive childhood or was neglected as a child • Suffers from a mental illness or mental disability • Abuses alcohol or drugs • Parents/adults are unemployed and no official sources of income to support the care of a child

Appendix 14

Invitation to Child Protection Meeting

Logo of Municipality or Commune

Date

Dear Madam/Sir

Invitation to Child Protection Meeting in Respect of (child's name)

The Child Protection Unit in Municipality/Commune is responsible for ensuring the welfare and rights of all children living in the Municipality/Commune of

To ensure that each child is provided with appropriate protection and/or services it is often necessary to organize a multi-disciplinary Child Protection Meeting to discuss the type, level and risks to a child and to develop a Child Protection Plan.

A Child Protection Meeting will be held on (day, date, time) to discuss the situation of (child's name and date of birth and age) who currently lives at (address) and you are cordially invited to attend the meeting.

Please see the attached Information Sheet that explains the process of a Child Protection Meeting and its purpose.

Please can you confirm your attendance at the Child Protection Meeting by (date) to (name) Child Protection Worker.

If you are unable to attend this meeting, please can you send a report to the Child Protection Worker of any information or contact that you have had with this child and/or any member of his/her family. This information will be read out at the Child Protection Meeting in the information sharing part of the meeting. Information regarding the child and/or any member of his/her family is important in deciding whether the child is at risk of harm, neglect or exploitation and whether the child's needs are being met.

If you would like any more information on Child Protection Meetings, please contact the Child Protection Worker named in this letter, who will be pleased to answer your questions.

Yours faithfully

Head of Child Protection Unit
Enclosed

Appendix 15

Information on Child Protection Meetings

What is a Child Protection Meeting?

A Child Protection Meeting is convened by the Child Protection Unit following an assessment of an allegation or report of abuse, neglect, exploitation or trafficking or risk of to any child within the Municipality or Commune in which the child lives.

Following an allegation or referral to the Child Protection Unit a Child Protection Worker will undertake an assessment of the child's needs and developmental welfare, any suspected abuse or neglect of the child, the parenting capacity of the child's parents' or carers and the environment in which the child lives. If the conclusion of the assessment is that the child is at risk of any form of exploitation, abuse or neglect or if his/her needs are not being fully met then a Child Protection Meeting needs to be arranged.

What is the Purpose of a Child Protection Meeting?

The purpose of a Child Protection Meeting is to share information, decide if there are any risks to a child's developmental welfare or risks of abuse, neglect or exploitation and finally to decide on an Individual Child Protection Plan for this child. Each child that has an Individual Child Protection Plan will have his/her situation reviewed every three months, (at a minimum) by means of a Review Child Protection Meeting.

Who Should Attend a Child Protection Meeting?

Research has shown that outcomes in providing protective services or assistance to children and families in need or at risk of abuse or neglect are best met by a multi-disciplinary approach. Children do not live in a vacuum nor is only one part of their life affected by abuse or neglect, therefore it is important for many professionals and organizations to address the holistic needs of a child and not just focus on one problematical issue. Most children who come to the notice of a Child Protection Unit have complex problems. One organization cannot meet all the needs of any one child, it requires a multi-disciplinary approach.

It is essential that a representative comes from the following organizations when invited to attend a Child Protection Meeting or Review Child Protection Meeting:

- a. Director or teacher of the school or kindergarten at which the child attends;
- b. School psychologist;
- c. Economic Aid Office;
- d. Police; community, anti-trafficking or border;
- e. Health professional;
- f. Mayor or representative from the municipality;
- g. Head of commune or head of village;
- h. NGO representative if any member of the family is being supported or attends activities.

The child (if old enough to understand the process) and the parents or family members will be invited to attend the Child Protection Meeting as their participation in the decision-making is very important to successful outcomes to intervention.

The representative who attends the Child Protection Meeting must have information on the child and/or family members and must be able to make decisions on behalf of his/her organization or department.

What is the Procedure in a Child Protection Meeting?

A Child Protection Meeting has six stages in the process. These are: Welcome and introductions to those present. Apologies from persons invited but not able to attend; Information Sharing Stage; all persons present will share the information they have on the child and/or family members; Decision-making as to whether the child is at risk or has suffered abuse, neglect, exploitation or trafficking or is in need. Persons who disagree with the main consensus will

have their views recorded;Individual Child Protection Plan is compiled;Review Child Protection Meeting date is set three months hence;Closing.

If I Cannot Attend,What Should I do?

If you are invited to attend a Child Protection Meeting and you cannot attend, then you are required to compile a report for the Child Protection Meeting, containing the information that your organization has about the child and/or family. This report will be read out during the information part of the Child Protection Meeting. Alternatively you can choose a person from your organization to represent you as long as he/she can speak knowledgeably about the information you have and can make decisions on your organization’s behalf.

Confidentiality

All proceedings and information shared in a Child Protection Meeting is confidential and cannot be used, distributed or discussed with anyone outside of the Child Protection Meeting.

Appendix 16

Report Form and the Individual Plan for Child Protection

Child Protection Meeting			
Child’s Name: Child’s Age and Date of Birth: Date:			
Participants Present at the Child Protection Meeting			
Name/Surname	Institution/Function	Contact	Details
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
Concerns Regarding the Child to be provided by the Child Protection Worker:			

Information provided by the Participants (related to the child and his/her family's situation)

Decision of the Child Protection Meeting

**Child Requires Protection Services
Form of Risk:**

YES

NO

Level of Risk:

Individual Child Protection Plan Period: From: _____ To: _____			
Risk	Action	Deadline	Service provider(s)
Date of Review Child Protection Meeting:			
Child Protection Worker Signature			
Signatures of Other Parties Providing Services			
.....			
.....			

Appendix 17

Service Provider Information Sheet; Public and Non-public Providers

General Information on the Service Provider

Name of the Service Provider: _____

Director's Name: _____

Contact telephone number and address:

Who is the contact person for referrals or applications for services? (name, position, tel, fax, e-mail)

What is the status of your service provision?

State/governmental

Private
(Licensed Yes/No)

Non-governmental
(Licensed Yes/No)

1. What are the main services that you provide? _____

2. Would you describe the services provided as?

Residential Centre

Daily Centre

Family Support Services

Vocational skills training

Employment support

Parenting Support

Humanitarian Aid

Financial Assistance

Government benefits

Marital Counseling

Domestic Violence Support

Housing

Refuge for Women and Children from Violence

Support to Victims of Trafficking

Informal Education Support
Finance

Literacy Classes

Micro Credit or

Other (Please state type)

**3. What are the criteria for admittance or applying for assistance or services?
(Include here any documents that must be provided)**

**4. Is there an application form to apply for assistance, support or attendance? YES
NO**

If YES, Please attach a copy of the Application Form to this Information Sheet.

5. Within which time period will the applicant receive an answer?

A week

Two weeks

One month

Immediately

6. At whom are your Services Aimed?

Children (specify age group and gender): _____

Children with physical disabilities:

Children with learning disabilities:

Adults with physical disabilities:
disabilities:

Adults with learning

Adults with mental health illness

Adults with alcohol or drug problems

Youth

Women

Third age

Ethnic Minority (state which) _____

Specific Community or location (specify where) _____

7. What are your opening hours? (days of the week and hours) _____

Appendix 18

Child Protection Review Meeting

Child's Name
Child's Date of Birth and Age
Child Protection Worker
Date of Review Child Protection Meeting
Persons Present

Apologies from Person Absent

Previous Child Protection Plan Actions

Review of the Child's Development and Welfare (Look at all the areas of the child's development including health, education, leisure, social activities)

Child Protection Risks

Child is at Risk	YES	NO
-------------------------	------------	-----------

Form(s) of Risk			
Level of Risk			
Individual Child Protection Plan; Period from To			
Risk	Action	Deadline	Service Provider
Date of Review Child Protection Meeting			
Signature of Child Protection Worker			
Signature(s) of Service Providers			

Appendix 19

Referral from Child Protection Unit to Child Protection Unit

Date: _____
From (Name of Child Protection Worker and Child Protection Unit): _____ _____
To (Name of Child Protection Worker and Child Protection Unit): _____ _____
Name of Child: _____
Date of Birth and age of Child: _____
Name of Father: _____
Name of Mother: _____
Name of Carer if different to above: _____
Relationship of Carer to Child: _____

Last known address: _____

Reasons for Individual Child Protection Plan (Types of risks or needs, level of risk, length of intervention by the Child Protection Unit, level of cooperation by the child and/or family members with the Child Protection Worker and Individual Child Protection Plan). Current concerns and reasons (if known) for the family to move.

Date of last Child Protection Review Meeting: _____

Address to which it is believed the child and family has moved:

Signature and Name of Child Protection Worker: _____

Appendix 20

Child Protection Closing Report

Child's Details:

Child's Name:

Child's Date of Birth and Age at time of Case Closure:

Reason(s) for Initial Referral

Form of Risks and Level of Risks

Main Actions Taken

Child's Situation at Time of Case Closure

Organizations and Services Provided to the Child and the Family at Case Closure

Date Case Closed
<p>Name of Responsible Child Protection Worker</p> <p>Signature of Responsible Child Protection Worker</p> <p>Signature of Supervisor to Child Protection Worker</p> <p>Date</p>

Appendix 21

LOGO OF MUNICIPALITY/COMMUNE

DECLARATION OF INDIVIDUALS EMPLOYED/INVOLVED IN MUNICIPALITY/ COMMUNE

I the undersigned,

Certify with the following declaration:

1. In the past, I have not been subject to any punishment due to my individual inappropriate behavior whilst having responsibility for or having the of custody children or minors, and I have never been subject to any administrative measures or investigative procedures for criminal acts or for violating the physical or psychological integrity of a child;
2. I am well informed and understand the child protection policy and procedure of the municipality/commune.....I am aware of this policy and am committed to respect it.

3. I am well informed that in the case of any concerns about any inappropriate behavior related to the protection and welfare of the child and in contradiction of the prevention policy defined by the Municipality/Commune, the institution has the right to take measures for my temporary dismissal. I understand that in the case of proven declarations and performed facts in contradiction of the protection of children the institution shall take the necessary legal and administrative measures, without limitation of time or location, be these in the country where these facts have occurred or in my country of origin and/or main residence.
4. I am well informed that in the case of any contract termination due to the violation of a child's physical and psychological integrity, the institution has the right to inform other institutions providing of professional reference on the reasons of contract termination such as a serious violation of the policy principles for the protection of children, under the legal applicable limits concerning data protection.

Signed on in

Signature :

Appendix 22

Glossary and Definitions

Words are listed alphabetically:

Active Listening - the process of listening to other persons' feelings, views and ideas and reflecting back to them what you have understood them to be saying. This assists in building rapport with the service user and ensures that the Child Protection Worker has clearly and accurately understood what has been said to them.

Assessment - the process by which information is gathered on the child, his/her family, his/her education, health, living situation and environment and on which the analysis is made as to whether the child is in need of protection, at risk of any form of harm or in need of assistance to meet his/her developmental needs.

At Risk - a child deemed to be requiring child protection services to ensure his/her safety and his/her rights. The child can be thought to be in danger of exploitation, trafficking, or child abuse, harm or neglect.

Beneficiary - a person who benefits or gains from something, or has a right to receive something, e.g. a service or financial allowance provided by the local government.

The Best Interest of the Child - decisions that will be made with the best interest of the child as the primary consideration. Best interest of the child is a principle of the United Nations Convention on the Rights of the Child.

Casework - the social work and child protection processes and actions undertaken in relation to the child who has come to the notice of the child protection services.

Case Management - the standardized system used to ensure that any child who is referred to the Child Protection Unit receives a competent and qualitative service that is based on his/her rights, needs and specific circumstances. Procedures are standardized and confidential reports will be made and kept on each case.

Child (*according to the UNCRC*) - any individual under the age of 18; this is the definition even if local country definitions of when a child reaches adulthood are different.

Child Abuse - any action or non-action which results in the harm, abuse, exploitation or neglect or death of any child. Abuse or harm can be physical, sexual and emotional or caused by neglect and can be caused by any individual or organization that has any form of contact with the child.

Child Exploitation - includes the exploitation or the prostitution of others, or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Child Rights - defined in the articles of the UN Convention on the Rights of the Child and ratified by the Republic of Albania in 1992.

Child Protection - implies the interdisciplinary measures undertaken to guarantee the survival and acceptable development of children, in respect of their rights. Child protection is not only considered as a preventive action but as an action focused as well on the provision of services until the child is no longer at risk. This abuse might include domestic violence, child labour, commercial and sexual exploitation and abuse, HIV/AIDS, and physical, sexual or emotional violence. Child Protection implies interdisciplinary measures undertaken to guarantee the survival and appropriate development of children, in respect of their rights.

Child Protection Meeting - a multi-disciplinary meeting, where professionals, governmental and non-governmental organizations, child and family members discuss a particular child and his/her situation regarding concerns of/or a risk of abuse, neglect or exploitation. A decision will be made whether or not the child is in need of child protection services.

Child Protection Services - focused actions and forms of assistance that are offered to a child and his/her family to prevent the harm or abuse of the child. Any child deemed to be at risk of neglect, harm or abuse should be assessed and specific services offered. Child Protection Services have criteria for the provision of services to eligible children.

Child Protection Unit - a permanent structure within the Economical Aid and Social Care Office within a local government administration either at the municipality or commune level. The Unit will comprise at least one specialist hired in the position of Child Protection Worker.

Child Protection Worker - a local government employee specifically employed to protect the rights and needs of a child. The Child Protection Worker works with children who are identified to be in need or at risk or who have suffered abuse, exploitation or neglect.

Child Trafficking - where a child is recruited, transported, transferred, harbored or received by means of a threat or use of force, or other forms of coercion, abduction, fraud, or deception, or the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.

Confidentiality - the practice of retaining and not divulging or using information gained as a professional through the process of gathering information on a child and his/her family. Documents and information of a personal nature have to be treated with the utmost care and not allowed to be read or accessed by other employees or others outside the organization. Specific procedures will apply to the sharing of information between professionals and organizations.

Corporal Punishment - physical punishment, e.g. hitting a child with a stick or belt to punish them for bad behavior.

Criteria (*noun*) - the standards, measures or expectations used to evaluate someone or something, e.g. I gave him the selection criteria for the job – information about what skills and experience we were looking for in an employee.

Disability - can be physical or of a learning or mental capacity that requires assistance, support and/or equipment for the child or adult to fulfill his/her potential in society.

Discriminate - to treat a person or group unfairly because of a personal prejudice or assumption, e.g. on grounds of ethnicity or color of skin.

Discrimination (*noun*) - unfair treatment of a person or group.

A “duty of Care” - a duty to care, e.g. all organizations that come into contact with children have a duty of care to those children – it is not a choice – they *have a responsibility* to take care.

Emotional Abuse - includes the failure to provide a developmentally appropriate environment, including the availability of a primary attachment figure; restriction of movement, degrading, humiliating, scape-goating, threatening, scaring, discriminating, and ridiculing and other non-physical forms of hostile or rejecting treatment.

Empower (*verb*) - to give the power to, or enable someone to have power or control, or express his/her feelings and opinions – e.g. how can we empower children to speak out if they have been abused? How can we give children the confidence and self-belief to speak out?

Facilitate (*verb*) - lead, make happen, e.g. the trainer facilitates the course.

Gender (*noun*) - whether someone is male or female.

Individual Child Protection Plan - a plan with actions devised by the multi-disciplinary members of a Child Protection Meeting or a Review Child Protection Meeting to protect a specific child from the assessed risks and forms of harm or abuse.

In Need - a child who has been assessed as in need of protective services as the environment and care which he/she is provided with is inadequate and requires additional support or services so that the child can reach his/her developmental potential.

In Place - happening, present, exist, e.g. it is very important to have your policy and procedures in place before an incident takes place.

Implement (*verb*) - to put in place, to make happen, e.g. she implemented the policy – they had a policy and she made it happen in reality, put it into practice.

Lead Professional - the professional who has been designated as the person to coordinate the actions and work to protect a child.

Material needs - basic physical needs, e.g. shelter, food, access to medical treatment, clothes, money etc.

Measures (*noun*) - steps, action plans, notes on procedures, e.g. we should take all the necessary measures to keep children safe.

Neglect of the Child - serious or continuous neglect is the failure to protect a child from any form of exposure to any sort of risk, including extremes of cold or heat, hunger, shelter, lack of appropriate food and water, failure to seek appropriate medical attention and also failure to provide care which as a consequence damages the health and the development of the child.

Non-Judgmental - the approach used by social and child protection workers to ensure that they do not discriminate on the grounds of gender, age, ethnicity, ability or disability, status or behavior and treat all clients with the same respect.

Orphan - a child who has no living parents.

Participation (*noun*) - involvement.

Participatory (*adjective*) - involving, inclusive.

Physical Abuse - the actual or potential physical harm from an interaction or lack of interaction which is reasonably within the control of a parent or person in a position of responsibility, power or trust towards a child.

Prejudice (*noun*) - a judgment made before proper information or experience, usually negative, e.g. disabled people talked about the prejudice they experience every day from people who expect them to be unable to do anything for themselves, or think that all disabled people think the same.

Primary Caregiver - the person who gives most care, or has most responsibility, e.g. as his mother and father had died, his aunt was now his primary caregiver.

Proactive (*adjective*) - positive, encourages action before a problem or action, takes initiative.

Promote (*verb*) - 1. to make known, to make popular and important, e.g. the organization promoted healthcare and education for children in the region; 2. To give a senior role/job to someone, e.g. after 10 years of service as a social worker, they promoted her to the position of social work manager.

Psychological Abuse - see *Emotional Abuse* above.

Recording - the process of writing down all the activities and actions taken or done by a Child Protection Worker or other professionals, the child or family members into the child's file or computer-based file.

Respecting Child Rights - in all his/her activities the Child Protection Worker respects and acts in accordance with the best interest of the child in line with the UN Convention on the Rights of the Child and Albanian Legislation.

Review - to undertake an evaluation of the actions and their impact on the risks as assessed in the previous time period to the child. To decide if the child is still at risk and if so to devise a new Individual Child Protection Plan.

Safeguard (verb) - to keep safe.

Safeguard (noun) - a measure or practice or rule that helps to make sure something happens or does not happen, e.g. to minimize the risk of child abusers finding employment in a child-focused organization, the requirement to produce two references stating the person is trustworthy with children.

Self Determination - to make decisions or take actions of one's own free will.

Sexual Abuse - the involvement of a child in a sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by the activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of a child in prostitution or other unlawful sexual practices, the exploitative use of a child in pornographic performances, internet pictures and materials. (WHO 1999)

Situation-Specific - something that only happens or has meaning in a particular situation.

Stakeholder (noun) - everyone who has a role in or responsibility for, or will be affected by, a particular programme, policy, event etc., e.g. the organization held a meeting for all stakeholders to decide what the goals should be for the coming year.

Supervision - the practice of providing management, practical and theoretical support and assistance to a Child Protection Worker by a senior member of staff. Supervision should ideally be a regular time set aside for the Child Protection Worker and his/her supervisor to go through the child protection cases and to discuss the casework and future activities.

Systemic - child development, well-being and protection are seen as complex phenomenon embedded in constant interactions between individual, family, community and societal elements within a specific context.

Testimony (noun) - evidence, statement.

Trauma - refers to both an incident which is terrifying, life-threatening or horrifying and the condition that it causes in people of having been terrified. Historically trauma refers to an experience that is so horrible that it overcomes the person's typical ability to cope with it. Any horrible event can be traumatic, if it causes an experience of terror and panic.

Welfare - safety, security, contentment, well-being.

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