

**Towards the right to a family
environment for every child:**



Advances and Challenges in Brazil

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FICE Brasil Managing Group



Celebrating FICE Brasil's birthday!

1. NECA (Association of Researchers of Study Centers on Children and Adolescents)
2. Aldeias Infantis SOS Brasil (SOS Childrens' Villages Brazil)
3. Plan International
4. Fundação ABRINQ (Brazilian Toy Manufacturers' Foundation)
5. FLACSO (Latin American Faculty for the Social Sciences)
6. Rede Não Bata, Eduque! (Network Don't Beat, Educate!),
7. Instituto Fazendo História (Institute Making History)
8. Instituto Berço de Cidadania (Institute Cradle of Citizenship)

«There are many Brazils»



Great regional and local differences and contrasts:
e.g. the favela Paraisópolis and its neighbourhood in São Paulo

Families in Brazil

- 204.2 million inhabitants (from 192 million 10 years ago)
- 80% in cities
- Average household: 3.3 persons
- Average number of children: 1.6 – 1.9
- 5.5% very poor, 34% poor or lower middle class, 53.5 middle class or wealthy, 7% very wealthy
- 46.6% of population under 29 years of age
- Average years of school 7.7 years; illiteracy 8.5%
- 0.03% of population (56'337) murdered per year, of which more than half (30'000) children and adolescents, mostly males
- Violence, alcohol, consumption and trafficking of drugs among the greatest social problems

Measures of protection for children and adolescents

1. Transfer to the parents or guardian, accompanied by a Term of Responsibility,
2. Temporary guidance, support and accompaniment,
3. Obligatory enrolment and attendance at an official elementary school,
4. Inclusion in community or government assistance programmes to families, children or adolescents,
5. Referral to medical, psychological or psychiatric treatment at a hospital or as outpatient,
6. Inclusion in a government or community program of assistance, guidance and treatment for alcoholics and drug addicts,
7. Placement in institutional care,
8. Placement in a substitute family.

National Plan for the Promotion, Protection and Defense of Children's and Adolescents' Right to Life in the Family and Community (2006)

Measures aimed at parents and legal guardians

1. Referral to a government or community programme of family protection,
2. Inclusion in a government or community programme of assistance, guidance and treatment for alcoholics and drug addicts,
3. Referral to psychological or psychiatric treatment,
4. Referral to (professional) orientation courses and programmes,
5. Obligation to enrol the son/daughter or ward at school and to monitor his/her attendance and progress,
6. Obligation to refer a child or adolescent to specialised therapy,
7. Official warning,
8. Loss of custody,
9. Removal of guardianship,
10. Suspension or removal of parental power.

National Plan for the Promotion, Protection and Defense of Children's and Adolescents' Right to Life in the Family and Community (2006)

Integration in the family is preferred measure

Art. 19. Every child or adolescent has the right to be raised and educated in the midst of their family and, exceptionally, in a foster family, in a way that ensures family and community life in an environment free of the presence of persons dependent on narcotic substances.

§1 Every child or adolescent in foster or institutional care will have their situation reassessed every 6 months at the latest, by an interprofessional or multi-disciplinary team, with a view to assessing the possibility of family reintegration or placement in an adoptive family, reporting to the relevant authorities.

§2 Permanence of children and adolescents in institutional care does not last for more than 2 years, unless proven to be necessary and in their best interest.

§3 Maintenance or reintegration of children or adolescents in their family takes precedence over any other measure.

Statute of the Rights of the Child and Adolescent (1990/2014)

Adoption

In 2013:

- 5'500 children and adolescents available for adoption
- 37'000 families wanting to adopt

- 75% of parents want to adopt children < 4 years of age
- 1 % of parents want to adopt adolescents > 11 years of age
- 67 % of children and adolescents available for adoption are 11 + years of age

- 81% of parents want to adopt 1 child only
- 77 % of children and adolescents have brothers and sisters also available for adoption

<http://www.senado.gov.br/noticias/Jornal/emdiscussao/adocao/realidade-brasileira-sobre-adocao.aspx>

Alternative Care Services

2'460 alternative care services in Brazil:

- Residential homes: institutions for a maximum of 20 children and adolescents (64% of services)
- Provisional institutional care: assessment and referral services in certain cases (17.4% of services)
- Residential group homes in the community: for a maximum of 10 children and adolescents (14.6% of services)
- Childrens' Villages: residential villages with 6 to 10 houses, with a maximum of 8 children and adolescents per house (2.7% of services)
- Foster families.
- Residential shared housing for youths aged 16 to 21: preparation for independent living (1% of services)

Reasons for being in Alternative Care

In 2010, 36'929 children and adolescents were in alternative care. The reasons were:

- Abandonment, neglect (56.9%)
- Material deprivation or mental health issues of parents (35.2%)
- Victims of violence inside or outside the family, life on the street (27.4%)

National Survey of Alternative Care Services (2010)

Foster Care

- Efforts to introduce foster care not as successful as hoped
- Only 1.6% of children and adolescents in foster care, the great majority in other alternative care settings
- Traditionally, families care informally for relatives' and neighbours' children.
- The idea that foster parents are paid by the state to take care of children seems alien to that culture.
- More efforts are needed to establish a foster care system.

Residential (institutional) Care

- Due to the issues around adoption and foster care, institutional care will remain a reality for the years to come.
- Literature review of last decades:
 - Shows damage institutional life can do to development of children and adolescents,
 - Indicates that «the institution can be a positive alternative when the environment in the family is disorganised and chaotic».

(Siqueira & Dell'Aglio, 2006)

Principles for all residential care services

1. Preserve family bonds,
2. Seek integration in a substitute family when no more possibilities are present in the family of origin,
3. Offer personalised services in small groups,
4. Co-educate boys and girls together,
5. Not separate groups of siblings,
6. Avoid, whenever possible, transfers to other institutional care services,
7. Enable participation in local community life,
8. Prepare the leaving of care service gradually,
9. Enable the participation of persons from the community in the educational process.

National Plan for the Promotion, Protection and Defense of Children's and Adolescents' Right to Life in the Family and Community (2006)

Family work of one residential care home

Chácara dos Meninos de Quatro Pinheiros (boys aged 6 – 18 from situations of high risk or living on the streets):

- Efforts made to find families of boys
 - Families can visit at any time
 - Parents have their responsibility; Chácara merely «helps out»
 - Boys spend long weekends and holidays with families.
 - Conversations and meetings with families to learn about their problems and resources and to provide assistance.
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- Not all residential care settings provide such strong family work.

Family reintegration

- Chácara has been able to facilitate many returns to families.
- Families often well able to take back their son but have not been able to move to area away from drug trade and violence.
- Several cases where adolescents had returned well to their families but were killed by violence related to the drug trade.

Making families

- Chácara boys create their own «families» through contacts they make at the Chácara and in the local community
- .. And also through media such as facebook
- Often use the initials of the Chácara as part of their facebook name (e.g. FernandoM4P)
- Call each other «brothers»; take care of each other

- It seems these bonds are often ignored.
- Children and adolescents have a right to life not just with the families given to them by birth or a judge, but also with the «families» that they themselves create!

Conclusions

- Much progress on a legal level in guaranteeing children's right to life in the family and community.
- Implementation of laws and recommendations in practice is complex and very demanding.
- No recipes or simple solutions.

- An individualised look at children and adolescents and their families, their needs, strengths and potentials is needed.
- Professionals who constantly reflect on, and further develop, services that are in the best interest of the child or adolescent are needed.
- The new «National Movement for Life in the Family and the Community» as well as NECA will make further contributions.

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