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**THE RESPONSE OF THE ROMANIAN CHILD
PROTECTION SYSTEM TO CASES OF ABUSE AND
NEGLECT**

-Doctoral thesis-

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Keywords: child protection system, abuse, neglect, monitoring system, case management

Research targeting child maltreatment often explore issues like: Who are the children who suffer from violence? How does maltreatment affect the child's development? Which are the conditions implying the highest risks from the point of view of the child's victimization? Who is responsible for committing abuse? Which is the extent of the problem? How can children be protected most efficiently against violence? Who is responsible for their protection? The final target when addressing these issues is the prevention of violence and the efficient treatment of the negative consequences violence has on the child's development.

Bentovim (Bentovim&Grey, 2015) identifies two turning points in the history of research on child maltreatment, which had a major impact on subsequent research and politics. The first was the identification of the "Battered Child Syndrome" by Kempe in 1968, who opened up the way for research regarding maltreatments against children, drawing attention of the medical child care system to the violence and risks children are exposed to within the family. The international activity initiated by Kempe and his partners (ISPCAN etc.) brought about a new concern regarding the well-being of children, changing once and for all the meaning of child protection, and calling attention to the risks represented by the family and those who ensure care for the child.

According to Bentovim, the second turning point was the carrying out of the global study by UNICEF, entitled *The World Report on Violence Against Children*, coordinated by Paulo Sergio Pinheiro (Pinheiro, 2006). The study is the result of the first research conducted by the United Nations, in which a high number of children were involved as persons entitled to certain rights, and as persons who were allowed to express their visions regarding all aspects that are related to their lives.

The study of Pinheiro drew the attention of the entire world to the extremely widespread phenomenon of violence against children (Pinheiro, 2006), which in a high percentage takes place within the family.

Although the international community adopted almost unanimously *The United Nations Convention on the Rights of the Child* (United Nations, 1989), the signing countries don't manage to create even today those conditions, which would allow for the balanced development of children. The expectations and the central message of the UNICEF global study are high demanding: "no violence against children is justifiable, and all violence against children is preventable." However, children are still exposed to violence most frequently within their families, but some children undergo mistreat caused by external factors, like those children who are affected by migration or seek for protection in an international context, i.e. children without identity documents, being unaccompanied on the territory of other countries, trafficked children, children in detention, socially marginalized children affected by poverty etc. In the same time gender related aspects of violence have to be taken into account as well, as girls and boys are exposed to different risks (European Commission, 2001).

The report of the Fundamental Rights Agency of the European Union (FRA, 2014) on violence against women reveals that in the European Union an average of 27% of women suffered physical abuse from the part of an adult before reaching the age of 15 years, and approximately 61 million women underwent some form of physical or sexual abuse in their childhood from the part of an adult. Moreover, data show that 16% of the trafficked persons in the EU are children. In those 11 member states which held comparable data, approximately 13,000 children suffered crimes of violence in year 2010. In Romania the most recent epidemiologic research on a domestic sample reveals that psychological abuse against children is the most frequent form of violence, reported by 65.8% of children; physical abuse is still frequently reported, despite the legal interdiction of physical punishment – it is reported by 44,8% of children; the frequency of neglect is 19.4% according to data provided by children. Concerning sexual abuse, 7.4% of pupils attending the 10th grade reported experiences of sexual abuse, this percentage being of 3.5% in the case of pupils attending the 5th grade (Antal et al., 2012).

Research targeting children mistreat ought to be carried out and interpreted by taking into account the wider social context they are conducted in, as the issue of children mistreat is a social phenomenon which is connected to the way how childhood, parenting,

the role of children in society and family, development and education are perceived in a certain society. Although it is commonly acknowledged that the family is the system which has the capacity to ensure the best protection to children, we have enough available data to believe that the family is also the system which carries the highest risks regarding the possibility of child victimization (Pineiro, 2006).

Thus it is still to know: Who has the right and the responsibility to intervene in the functioning of a family? In the name of which power and targets should they intervene? What is indispensable, and what is too much in the case of an intervention? Whose interests does an intervention initiated by an external actor serve? Thus the reflection on the dynamics between state and family, private and public becomes essential in shaping an answer by an institutional actor, which defines itself as a decisional forum regarding violence against children within the family and community.

The development on international level of the children's well-being systems was guided on the one hand by the researches which explored the phenomenon of the attachment in the child-mother relationship, the effects of maternal and material deprivation, of the emotional neglect and of the abusive treatments on children's development, on the other hand by the dominant policies of the governments from different periods. The well-being of a child can't be separated from the well-being of the family and the community in general, thus the policies targeting especially or inclusively children (in the field of education, health, justice, public administration) have to be correlated, but also integrated in development policies, which, more or less deliberately have an impact on a child's well-being. The narrowed approach to child protection against violence, and the wider approach to children's well-being are complementary in an integrated protection system.

The systemic approach in child protection is already a widespread concept supported by international recommendations and policies (UNICEF, 2008; UNICEF, UNHCR, Save the Children, World Vision, 2013; Council of Europe, 2009). Its advantage consists in the acknowledgement of the possibility to maximize the effects of actions carried out within this system, with the aim to offer protection and to guarantee that children's rights are respected. However, systemic approach also reveals how certain

erroneous actions or the inefficiency of an element has a multiple impact at the level of the entire system. The application of the system paradigm to all what it means a response from the part of the state at the phenomenon of violence and mistreat against children contributes to a great extent to its acknowledgement, but also to finding development solutions in an integrated and coordinated manner.

In Romania the changes which had the greatest impact on the development of the child protection system as a whole were the radical political changes, starting from the change of the communist regime, and the period of pre- and post-accession to the EU. At present the child protection system in Romania is at the crossroad of policies promoted by the international communities Romania is part of (UN, EU, Council of Europe) and of certain complex domestic conditions, which include both factors related to the macroeconomic situation of the country, the functioning and efficiency of the local and central public administration, but also to the values and traditions of today's society and the aspirations for a better future for children from Romania.

The present study aims at examining a part of what we call today the answer of the Romanian child protection system to abuse and neglect. Taking into account the complexity of the topic, we have to delimit the area of investigation, which will focus on the analysis of the responses of the protection system to situations of violence against children committed in the family, taking into account however the wider social context of the lives of children and their families. On the other hand, by referring to elements of the protection system (Wulczyn et al., 2010; UNICEF, 2013), we narrow the area of research on the data system on children being registered by the protection system (implying or not implying protection measures), and on the aspects of the management of cases of abuse and neglect.

Advancing from general to particular, the first chapter presents the international policies which are at the base of domestic policies, by assuming on a political level the legal instruments adopted by the United Nations, the Council of Europe and the European Union, as Romania is part of these international communities. By revealing the relevant policies and recommendations regarding the obligations of the state to build up a system capable of an efficient response to children maltreatment, the second sub-chapter reveals

the most important aspects of the systemic approach in child protection, and points to the definitions formulated by various international bodies (UNICEF, 2008; Save the Children, 2010). In the third sub-chapter I present the analysis models dealing with some of the elements of the child protection system. These models are used for presenting the situation in Romania, even if they aren't exclusively the analysis models used in the present work. What is in fact the protection system? How can we identify and define the system's answer? The system's answer is given by the complex interaction between actions, measures, and lack of all these in a certain context. The present work does not aim at evaluating exhaustively the measures undertaken by the competent institutions neither from an institutional perspective, or the perspective of children and their families, but aims at presenting various perspectives which can contribute to a better understanding of the system's functioning as a whole.

In order to understand the present child protection system's answer to the needs of children whose development is considered to be jeopardized within their own families, one has to take into account the basic presumptions concerning maltreatment itself, especially regarding the causes of maltreatment. The responses of the state, expressed through policies, institutional system, interventions etc. are modelled with respect to these presumptions and the presumed causality relations supported more or less by the theoretic models developed during time. Chapter II describes these theoretic models, and how they contributed to today's policies.

Chapter III deals with the issue of the Romanian protection system. First it clarifies the concepts and definitions the different systems operate with in Romania, but also the way how these relate to definitions adopted on international level. Thus in this chapter I try to formulate an answer to the question "Who are the children who need protection in Romania?" starting by exploring the social and legal constructions of abuse and mistreat in Romania, to the magnitude of the phenomenon from the perspective of the empirical researches conducted in Romania. The last sub-chapter of Chapter III explores the topic of the Romanian protection system's development with relation to the subsequent perspectives and policies, prevailing in international context, and constituting the basis of the organization and functioning of the protection system in Romania. This

sub-chapter presents the protection system from the perspective of the few related existing research in Romania.

Official statistics¹ show that despite the efforts of the central and local administrations, of different institutions, policies etc., the number of children registered by the system due to mistreat was the same approximately constantly during the last 8 years, the factors which are considered to be the main causes of the protection measure remain the same, moreover, data regarding the impact of the system on the development and well-being of children included in the protection system are lacking. The research within the present work, presented in Chapter IV and Chapter V attempts to present as accurately as possible two elements of the system, considered to be basic elements with respect to the response to abuse and neglect.

Thus Chapter IV investigates the Romanian data system, which at declaratory level has the role to monitor and substantiate the relevant policies. The research attempts to reveal the limits of the system ensuing from the structure and functioning of this sub-system, and the development possibilities, through which the monitoring role of the system would be actually fulfilled. The research makes use of several models focusing on the same issues. Thus the analysis of the legal and institutional system underpinning the monitoring system's functioning was explored by using the document analysis method as well as through interviews. The document analysis revealed those policies which define the identification, referral, registration and evaluation modalities of maltreatment cases, as well as the set of data which has to be reported towards the central authority, implicitly collected and registered at local level. Regarding how data is collected at local level, respectively the utility and use of such data, information was obtained by interviewing a representative of the National Authority for the Protection of the Rights of the Child and Adoption. However, the ways how cases should be reported and registered are not clearly defined in legislation, and the use of inter-institutional relationships, even if they are regulated, depends a lot on subjective factors. These aspects were explored through interviews with an expert from the public social service department of a town hall and an

expert from the monitoring service of the Social Services and Child Protection General Directorate of the same county. In order to have an as comprehensive view as possible on the situation of data bases used at county level, I made use of a questionnaire, completed by 45 departments from a total of 47 departments in Romania. The questionnaire consists of 7 set of questions and is structured on the following topics: general information on the data registry regarding CAN (Coordinated Response to Child Abuse and Neglect); the availability of data; the availability of data on the victim; the availability of data on incidents; the availability of data on the family; the availability of data on the aggressor; information regarding the definition given by CAN to the organization. The questionnaire was tested in advance with 4 institutions, then sent to the central authority, which transmitted it to each county department. By using descriptive statistical methods, I received answers on which are the data that are registered, how are these data used at county level. This chapter concludes with the presentation of a systematic data collection model, developed within the framework of the project Coordinated Response to Child Abuse and Neglect Via Minimum Data Set, implemented through the financial support of the European Commission, the Daphne III Program, in which the author of this thesis contributed. The data registry suggests a minimum set of data to be registered with the contribution of several institutions from various sectors, which would also allow for case-based monitoring, thus centered on the child. The last subchapter of Chapter IV reveals the extent to which this model ensures an opportunity for developing the present system.

Chapter V carries out an analysis regarding the situation of children included in the child protection system for being victims or are suspected to be victims of violence, respectively other important aspects regarding the management of maltreatment cases in Romania. The study of how cases of child abuse and neglect are monitored included in this chapter is part of an international project implemented in 9 countries of the Balkans, using the file analysis method. Thus, by the analysis of a number of 2888 files of children registered in the protection system as victims or possible victims of mistreat, aged 11-13 from 16 counties and one sector of Bucharest, we try to find out the characteristics of children, caretakers, families and persons who commit abuses against children. It is equally interesting to see whether the files include essential data regarding the child, the social and economic situation, the characteristics and consequences of the incident,

supporting persons, abuser etc. Intervention is based on these “official” data, although the professional dealing with the respective case may possess more information than those specified in the file. Therefore the files were analyzed on the basis of a data extraction formula and processed with the SPSS 10.5 program. Given the fact that categorization depending on age, gender and the form of mistreat resulted in sub-groups with a low number of cases, the comparison of these groups wasn’t carried out. Thus I used only the descriptive statistics.

Regarding how information is collected on certain essential aspects of the management of abuse and neglect cases, the monitoring study does not ensure a significant quantity of information, and the used instrument allows for quality data gathering. However, process related aspects can be revealed only through quality methods. Thus, in order to receive answers to the issues connected to processes and procedures within case management, I conducted interviews with professionals who work on cases of abuse and neglect in the public social service, the social service and child protection general directorate and one NGO. The targeted issues were: When would a case of mistreat be reported, taken into account that reporting cases is a legal obligation of professionals? How are cases reported? On which tools is risk assessment based? Is there any risk assessment carried out? What tools are applied in order to assess the child’s needs? How is inter-institutional cooperation carried out in practice? Which are the factors of success and failure according to professionals? What difficulties do they meet within the system? How can intervention be improved according to them?

The hypotheses of the research carried out within the present work:

- The type of the data base is an important factor concerning the efficiency of the monitoring role of the CAN.
- The set of indicators has a major importance regarding the efficiency of the monitoring role of the CAN.
- The accuracy of definitions and their operationalization contributes both to the assuming of responsibilities by the competent institutions as to obtaining valid data which are compatible in other sectors as well.
- The lack of standardized tools leads to under-reporting, deficient identification and inappropriate interventions.

- Inter-institutional cooperation appropriately coordinated through local procedures leads to the improvement of intervention.
- The potential of family and community resources aren't explored enough during intervention.
- The prevailing response model in the Romanian child protection system is the medical model combined with the ecological model.
- The public health perspective is ignored to a great extent, and the perspective of children's right is the prevailing perspective only at legislative level, in practice it is applied only to a small extent.

Limits regarding the research topics and methodology:

- It wasn't carried out an investigation on the attitudes and competences of professionals regarding the motifs of the abuse and neglect, which are known to be a relevant factor in intervention. Despite this, I drew a few precautionous conclusions following an inductive argumentation, on the basis of the character of the realized interventions;
- The decision-making models weren't investigated at the level of the management of protection institutions, where actual decisions are taken regarding the separation of the child from the family, but only at the level of the professional who instruments the case and suggests the appropriate measure to the management;
- I didn't analyze relevant issues like the evaluation of services specialized in the field of child maltreatment, which would have offered more information regarding the efficiency of intervention;
- Since the division of the group on the basis of age, gender and maltreatment type resulted in sub-groups with a small number of cases, I didn't carry out the comparison of these sub-groups. Thus I applied only descriptive statistics, but the investigation of the relationship between various risk and protective factors wasn't possible;

- I didn't include in the research children and their families, who had been in contact with various child protection services in order to evaluate the impact of interventions from their point of view;
- I didn't examine the observation of the right of the child to participate in what concerns the protection measures or in other processes affecting them as a consequence of the interventions initiated by the protection system;
- I didn't examine the endogenous community practices of child protection, which could contribute to the child's well-being within the community, and ensure valuable resources from the perspective of the formal child protection system.

Presuming that the functioning of all systems are underpinned by several theoretical models (Cameron et. al, 2007), I identified the presented theoretical models to a certain extent in the Romanian system's response to child maltreatment. The understanding of these is important in order to reveal the strong spots, as well as the disparities existing in the functioning of such system. The disparities can be interpreted as differences between the explicit policies, assumed officially by the governments, and the practices on field, which in fact are based, besides on the institutional procedures and the professional knowledge of experts, on assumptions regarding the causes of the child abuse and mistreat, the role and responsibility of the state regarding child protection and the relationship between public and private. These disparities can ensue also following developments governed by the external pressures from the society, i.e. in the case of Romania the modernization initiatives proposed by the European Union (Negoiță, 2010; Krueger et al., 2014), occurring in situations when the system changing processes don't take into account the local conditions and the domestic (community) child protection systems.

In order to define the wider framework of the response to child maltreatment, I presented the general features of the Romanian protection system, touching upon the historic dimension of its development, the main development thread being pointed towards the development of complex services adjusted to the child's needs, and considering the perspective of children's rights. Within this framework the following

major objectives were determined: restructuration of institutional care by closing the large institutions, the development of family care centers and the prevention of separating the child from the family. These objectives are valid in the present as well, since the major institutions weren't all restructured, especially those for children and youth with disabilities, and the main causes of overtaking children by the protection system weren't essentially modified, thus the poverty of families and disability still continue to be the major factors of protecting children outside their own families. Despite these facts one can notice trends like: the decrease of the number of children addressed by protection measures, the increase of the number of children benefiting from prevention services, the decrease of the percentage of children in institutional care, and the increase of the percentage of children in family care centers.

The performance of the system in the light of the above mentioned indicators show a positive development. However, concerning the situation of maltreatment, one can see that the number of reported cases remains constant, and the intervention of the system in the cases analyzed within the research don't show a clear improvement of the situation of children registered in the system.

The analysis of the development in social, historic and geographic context reveals that the protection systems' development in the region slowed down due to three factors: insufficient financial investments, the lack of professionalization, the lack of assuming responsibilities by institutions and professionals, and the lack of using the impact research and evaluation, which would ensure the definition of connections between services and needs (Anghel et al., 2013). The most important critics targeting the reform process following the legal change in 1997 on the one hand refer to the rhythm of decentralization which was much too accelerated, surpassing the capacity of the competent authorities both from the point of view of financial ground and management, on the other hand reveal the evident discrepancies between policies, regulations and their putting into practice (IMAS, 2004; Megheru, 2010).

In order to better understand and evaluate the reactions of authorities to situations of child maltreatment, I applied the systemic approach, and I chose two basic elements of the protection system, namely the *monitoring of the data system* and *case management*, fields in which I carried out empirical research. Following these two researches the way

how these two elements are related was also revealed, as they mutually condition the efficient functioning: a monitoring system of data regarding abuse and neglect can't function efficiently if during case management relevant data aren't collected with respect to the phenomenon of the abuse, respectively case management is encumbered by the lack of an inter-sectorial data base centralized at least on county level.

Concerning the hypothesis that the type of the data base is a factor influencing the efficiency of the monitoring task of the CAN, on the basis of the researches we can argue that the present-day domestic system, which collects numbers declared by the counties on the basis of predefined indicators, which aren't based on cases as operating units, isn't capable to allow for a real monitoring and to the generating of new, more sophisticated statistics.

In the case of CMTIS (Child Monitoring and Tracking Informational System), a data system centered on the cases of children registered in the child protection service, which ensures a real potential for an adequate monitoring, the first issue to be dealt with is data safety. CMTIS contains all the identification data of children registered in the protection system, without the use of a codification system. In the monitoring systems centered on cases, the measures regarding the security of private data are rigorously regulated, and safety measures refer both to the codification of data as well as to the access to the data base only by the competent persons. The assumption that the case-centered monitoring system would be of a major importance didn't prove true, therefore one can state that CMTIS in its present form doesn't add information on national level, because it doesn't include analytical indicators connected to the maltreatment (data regarding the incidence, the consequences of violence, the child's needs, the situation of the family, data on the aggressor). Thus, although the maintenance and the provision with data of the data base requires considerable financial and human effort from the part of the protection system, this informational system offers much too few advantages. The parts that have certain usefulness from the point of view of management, those related to *staff* and *financing*, unfortunately are neglected by the authorities responsible for the introduction of data in the electronic system. It can be concluded thus that the mere existence of a case-centered monitoring system isn't sufficient for a real monitoring, if

that system doesn't make use of indicators which are scientifically proven to be relevant and sensible to various aspects of the phenomenon of violence.

If we take a look at national statistics regarding the victims of abuse and neglect starting from year 2000² (only from that year a data base at national level is available), we see that the number of children registered for experiencing some sort of abuse or neglect remains relatively permanent. On the other hand we find out from the interviews, that professionals believe that this number doesn't reflect the reality on field, and that there is a significant under-reporting at the level of settlements, where the representatives of town halls, medical or educational staff don't acknowledge the abuse (Adriana Farcaș, PhD thesis, manuscript). Thus two issues arise concerning the validity of data: at central level there is a suspicion that reporting isn't carried out properly, therefore national data don't reflect with accuracy the number of identified cases; at county level the trust in own data regarding abuse is relatively small, the most frequently referred cause being non-reporting from the part of local councils. The results are conclusive with the UNICEF report regarding "invisible children", stating that the most frequent vulnerability of these children is related to neglect or abuse affecting more than half of the "invisible" children, yet this vulnerability is assessed the less accurately by social workers, who under-appreciate the phenomenon to a great extent (Stănculescu, 2013, p. 8).

On the other hand the interviews also reveal the fact that the registry system of the DGASPC (General Directorate of Social Services and Child protection) isn't again capable of self-informing and detecting other cases of violence than those which are reported to the institution as such. It is well known that in many cases the cause for families or civil society recurring to different public services relies in fact in a situation of maltreatment, and a screening type assessment would be needed in order to identify the abuse in all cases being in contact with social services (Bianchi et al., 2007). Researches offer contradictory data: on the one hand quantitative research shows that a high percentage of the directorates do have a screening system, on the other hand the interviews reveal that screening isn't actually effectuated. Moreover, in the case of the county being the object of the monitoring study, it turned out that if in the case of a child

the initiation of the placement measure is requested – by the caretakers or by the SPAS (Public Social Services) –, irrelevant of the causes at the base of the request, the case is registered at the Placement Service, isn't assessed from the point of view of maltreatment, and isn't registered as an abuse, as a consequence isn't given any recovery service, even it would be the case.

The issue of the appropriate assessment and registration of the abuse was detected both within the DGASPC and SPAS: there isn't a standard procedure at place for assessing the child benefiting from a special protection measure from the point of view of the traumas (this would perhaps be the reason for the low percentage of abuse and neglect identified as the cause for separating a child from their family), and the working tools used in the initial assessment in most cases don't include filtration questions for situations of violence. Thus the cases are registered as cases of abuse or neglect only if they are reported as such. The ignorance of the violence related aspects occurs despite the increase of the general competences of the staff from the general directorates of social services and child protection and from the local councils, which ensues from attending higher education or eventually specialized training, yet these educational forms don't provide specific training regarding the work with children exposed to violence. Thus professionals aren't trained to recognize the signs of the abuse, and in lack of specific working tools for maltreatment which would include filtration questions, the chance to detect abuse or neglect in a "social case" is low.

Nevertheless there are legislative incongruences regarding the role of the SPAS in reporting cases and initial assessment. On the one hand the law doesn't distinguish between the different levels or seriousness of the abuse and the measures taken accordingly, and the institution which carries out the initial assessment. SPAS has the obligation to report all cases of identified abuse, but in reality only those case are reported, which are considered severe, and fall beyond the legal and professional competences of SPAS. The reporting obligation isn't met entirely, which leads also to the weakening of data at county and national level.

Document analysis reveals that there is an insufficient legal harmonization from the point of view of definitions and their operationalization, and their correlation with monitoring instruments. It is of outmost importance to correlate definitions regarding

child maltreatment used in the framework of various sectors (social and educational sector, justice, health), to include certain common issues in their data sets and to conclude protocols between the different sectors regarding the collecting and integrations of data both at central and county level. According to the interviewed professionals and those who completed the questionnaires, the set of variables included in the monitoring tool is incomplete regarding the phenomenon of abuse. On the other hand, in order to increase the monitoring capacity and to improve case management, it is important to integrate the data bases of the monitoring service and the service for abuse treatment.

Therefore it is important to set up the conditions of a common understanding of abuse and neglect for the different sectors through the formulation and adoption of common and compatible definitions and reporting mechanisms. Thus the hypothesis that the accuracy of definitions and their operationalization contributes to the undertaking of responsibilities by institutions as well as to receiving valid and compatible data is confirmed by the researches carried out for the present work.

A system as the Minimum Data Set on Child Abuse and Neglect can serve as a model for improving the monitoring system, which would also structure the inter-institutional cooperation needed in child protection. As a consequence I call for overlooking a set of demographic indicators, which would serve the improvement of the monitoring system of cases of maltreatment at national level.

The hypothesis that the lack of standardized tools leads to under-reporting, deficient identification and inappropriate interventions, was confirmed by the present research, shading light on the fact that the working out of standardized and unitary working tools on national level, which would facilitate the screening, assessment and registration of cases of abuse, of guidelines for the implementation of definitions and methodologies are needed.

Concerning inter-institutional cooperation, although legal regulations are at place which try to ensure a common framework for action, the subjective aspects prevail. Thus, without a cooperative approach, interventions often remain fragmentary, overlapping may occur, and the system remains gappy. A legal framework can't replace the local procedures worked out through a participatory process, which would improve intervention.

The quality research on case management confirms this statement, as cooperation is considered as one of the conditions to succeed, respectively the lack of cooperation is identified as a factor leading to failure. The clarity of roles, constant feed-back, reciprocity, assumed responsibilities, better relationships between professionals, a common language within this field, but also inter-sectorial common language are all factors that result in better cooperation. Local procedures can be clarified provided that roles are clarified at legislative level.

The prevailing response model in the Romanian child protection system is the medical model, with elements from the ecological model. Following carefully the results of both researches, namely the qualitative and the quantitative components, we can conclude that the response of the protection system is limited to interventions targeting mainly the child and the primary caretaker, namely the parent, the grandparent or other persons who look after the child. The provided services are predominantly medical and psychological services, which may mean that the cases are dealt with by searching the deficiencies of the personalities of persons caring for the child. Intervention isn't centered at all on mobilizing the family and community resources; research show that approximately 10% of separated children are in placement at relatives. Concerning intervention itself, taking into account the limits of the research as well, which didn't aim at evaluating the impact of intervention from the perspective of the child and of the family, we have reasons to conclude that the potential of family and community resources aren't explored sufficiently by professionals. Although research reveal the importance of family and community resources, and the importance of interventions targeting the increase of the capacity of the family and supporting persons, the research underpinning the present thesis shows that services provided for families are mainly mental health services and psychological counselling. Approximately 30% of children suffering maltreatment are separated from their families. We don't have information on what kind of services were offered to them, or whether any services were offered for the prevention of separation. The type of the provided services states for the presumption that the causes of the abuse have to be identified at the level of the features of the caretaker and of the abuser, who are the same persons in the case of my research in 54% (see Annex III).

There is no evidence that intervention would be based on community resources or that it would be adjusted to different specificities of the community the child comes from. During the assessment of the risks and of the child's and family's needs, no tools could be revealed which would serve the implication of the directly affected persons, namely the children and their family members. Although the marginalized community is considered to be a risk factor, we don't have any information about initiatives from the part of the authorities to intervene at the level of such communities.

There are initiatives for cooperation regarding case management with the education and health sector, police, NGOs, various service providers present in the community. However, I didn't trace down any systemic and integrative approach between different sectors and cooperation levels. Yet the need for such integration was expressed by some professionals.

Concerning the revealing of the public health perspective, research shows the lack of such approach at present. The present-day monitoring system doesn't allow for a clearer identification of the risk and protection factors, which would guide the professionals during intervention. In the same time the lack of the screening tools described above leads to the deficient identification of cases of abuse and neglect. The lack of data regarding the consequences of abuse and maltreatment reveals also the fact that intervention and treatment aren't closely related to the actual needs, but are rather based on the limited resources at hand for specialists.

Nevertheless quality research shows that the perspective of the child's rights is prevailing in Romania at legislative level, but in practice this is realized only to a limited extent. One can observe the efforts given during time for the building up of a complex child protection system, however public authorities don't really assume the responsibilities for ensuring that the rights of each child are respected. The lack of control and liability mechanisms, generally present in public administration has an impact also on the child protection system, ignoring both the situation of the most vulnerable or "invisible" children (Stănculescu, 2014) and the situation of those who suffer maltreatment in institutional care or in their middle-class families.

Recommendations for the improvement of the response of the child protection system to cases of abuse and neglect

On the basis of the conclusions formulated following the document analysis, interview analysis and the analysis of children's files within the Romanian child protection system, we can conclude that the future development of the child protection system should follow the evolutions on international, respectively European level. The 2016-2021 strategy of the Council of Europe for children's rights traces the guiding lines which aim at development along integration with the systemic approach. The actions that authorities, as legally responsible entities should carry out, could be structured along the following directions:

Training of the staff

Research revealed the importance of the permanent training of staff in several fields:

- a. data collection, the modalities and benefits of data analysis at county and central level;
- b. identification of maltreatment, assessment of risks, of the consequences of traumas and of the needs for recovery;
- c. work with available family and community resources through restorative practices;
- d. structural violence, in order to understand the structural causes of abuse, and the training of social work addressing oppression;
- e. inter-cultural aspects in order to better understand the cultural aspects and the differences in needs, in order to carry out interventions based on endogenous mechanisms of child protection;
- f. the inclusion of persons from the management, including those at the top management level of protection institutions (DGASPC, SPAS) in training activities on data bases, but also on issues related to work with children exposed to violence;

The development of the continuum of services

g. the improvement of the access of children and families from rural areas to social services and therapy needed for the recovery from traumas caused by maltreatment, taking into account the employment of social workers and community mediators for deprived communities, and the possibility to set up mobile intervention teams;

The development of the monitoring system

h. the introduction of a monitoring system based on cases, which would include a minimum data set regarding child maltreatment to be used by several sectors on the basis of inter-institutional protocols;

i. The security of CMTIS and its development with relevant data from the point of view of the management of maltreatment cases, respectively the activation of the staff and financing sections; or the adoption of a new data system, which would operate with complex data sets adjusted to the issue of children exposed to all sorts of violence, which would allow for cooperation between services and the disaggregation of data.

j. the clarification of definitions used in justice and social services, in order to make these definitions compatible;

The development of working tools

k. the revise of standards and methodologies in force, and the elaboration of a set of tools for specialists in child protection applicable at national level, as follows:

1* procedures of referring to maltreatment cases by professionals who have the obligation to report;

2* interior and inter-authority working procedures all along the management process in cases of exposure of children to any kind of maltreatment;

3* systemic carrying out of risk assessment in case of every child related to whom a referral has been made, respectively a reporting to DGASPC, or a report of abuse, neglect, exploitation or trafficking;

4* setting up of well-defined coordinates of the assessment and the adoption of a common set of tools for specialists, applicable at national level, allowing the assessment of the needs of the child and the family;

5* the setting up of criteria regarding decision-making in the primary interest of the child;

6* the definition of the coordinates of an intervention plan and of the modalities of involving community resources;

7* at present the lack of demographic data and the deficiencies of the monitoring system don't allow for a sophisticated analysis of data and for the identification of groups exposed to an increased risk of maltreatment;

The integration of the child protection system in the social and economic development processes

l. the training of decision-makers at the local authorities' level regarding inclusive development, centered on children's rights;

m. the promotion of interventions based on network and institutional facilitation for a real cooperation.

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Legea 217/2003 pentru prevenirea și combaterea violenței în familie

Convenția Nr. 182/1999 privind interzicerea celor mai grave forme ale muncii copiilor și acțiunea imediată în vederea eliminării lor

Hotărârea Nr.691 din 19.08.2015 pentru aprobarea Procedurii de monitorizare a modului de creștere și îngrijire a copilului cu părinți plecați la muncă în străinătate și a serviciilor de care aceștia pot beneficia, precum și pentru aprobarea Metodologiei de lucru privind colaborarea dintre direcțiile generale de asistență socială și protecția copilului și serviciile publice de asistență socială și a modelului standard al documentelor elaborate de către acestea

Hotărârea nr. 49/2011 pentru aprobarea Metodologiei-cadru privind prevenirea și intervenția în echipă multidisciplinară și în rețea în situațiile de violență asupra copilului și de violență în familie și a Metodologiei de intervenție multidisciplinară și interinstituțională privind copiii exploatați și aflați în situații de risc de exploatare prin muncă, copiii victime ale traficului de persoane, precum și copiii români migranți victime ale altor forme de violență pe teritoriul altor state

Ordinul nr. 101 din 15 martie 2006 GHID METODOLOGIC din 15 martie 2006 de implementare a Standardelor minime obligatorii pentru Centrul maternal

Ordinul 177/2003 pentru aprobarea Standardelor minime obligatorii pentru telefonul copilului, standardelor minime obligatorii privind centrul de consiliere pentru copilul abuzat, neglijat și exploatat, precum și a standardelor minime obligatorii privind centrul de resurse comunitare pentru prevenirea abuzului, neglijării și exploatării copilului

Ordinul Nr. 21/2004 pentru aprobarea standardelor minime obligatorii privind serviciile
pentru protecția copilului de tip rezidențial

Ordinul 24/2004 pentru aprobarea Standardelor minime obligatorii pentru centrele de zi