

EUROPEAN UNION



A Phare-funded project



Ministry of Labour,  
Social Solidarity and Family

National Authority for the  
Protection of Child's Rights

# CHILD WELFARE IN ROMANIA



the story of a reform process



# Successive Romanian governments have sustained child welfare reforms

This brochure tells the story of the reform process that has taken place in Romania since 1997. It describes the problems that were inherited from the former regime and how the slow and difficult (and still ongoing) reform process has worked. We also present the statistics of children in care and describe the process of placing a child in the protection of a substitute family.

By presenting you our history, our policy and our services we hope to be able to show you that we have developed a modern child welfare service that is based on the rights of the child.

We invite you to come and see this for yourself. Come and visit any one of the 47 Directorates for Social Assistance and Child Protection across the country, and see how they are supporting young mothers at risk of abandoning their children; see how they work out the best placement solutions for children who have been separated from their families; how every day they make decisions in support of local families and in the best interest of the children.

None of this would have been possible without successive Romanian governments' prioritizing this issue – and without the financial support and expertise provided by the EU and other donors.

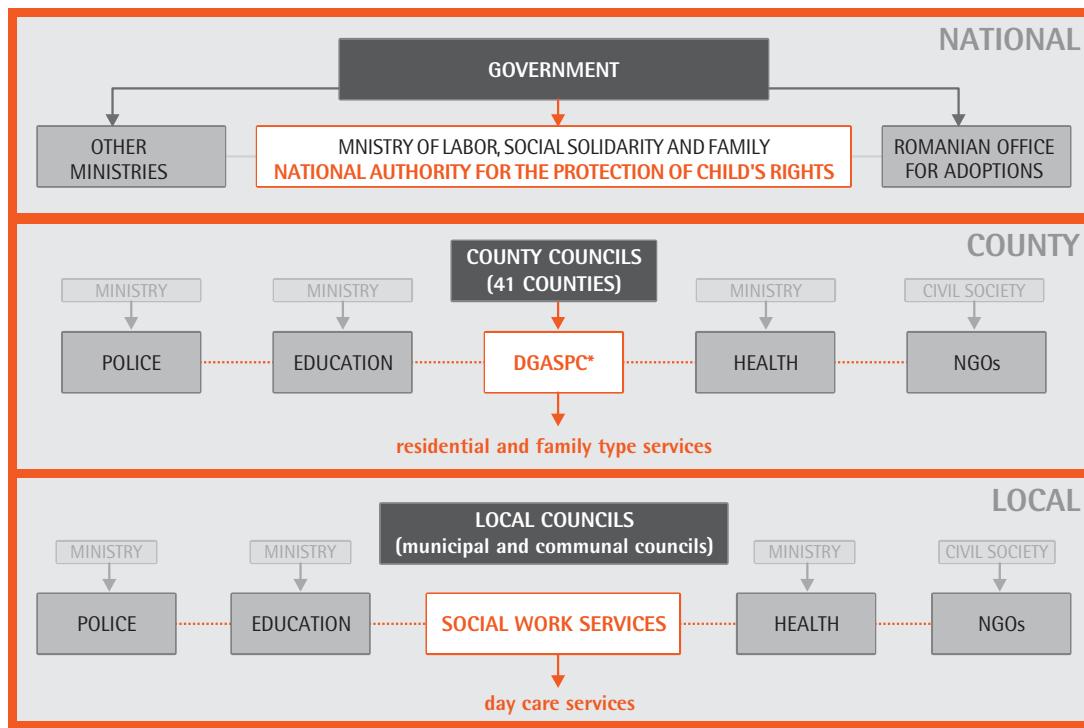
Romania's child welfare system has been completely reformed and the results are impressive by any standards. Although we are still faced with many serious challenges, and too many children live in poverty, great strides have been made in terms of closing institutions and setting up alternative services. We are on the right track.

**Bogdan Panait**  
Secretary of State  
National Authority for the Protection of Child's Rights



## Romania's child welfare structures

This diagram shows the relationship between the central and local government in terms of child welfare.



\*DGASPC: County Directorate for Social Assistance and Child Protection

The role of the National Authority for the Protection of Child's Rights is one of policy making and includes the coordination of national and internationally funded programmes. As part of the reform process, responsibility for delivering child protection services has been delegated to local government.

## Romania inherited a disastrous child protection system from the Communist regime

The main idea of child protection in Communist Romania (1945 to 1989) was that the state – rather than the family – would take responsibility for children in difficulty. A network of large institutions was developed and poor families were encouraged to give their children into the “care” of the state. Traditional patterns of child welfare, like placing a child in difficulty with a member of the extended family, were undermined.

What made these bad policies disastrous was the pro-birth policies of the Ceausescu regime and the economic depression of the 1980s. By 1989 there were over 100,000 children in institutions and over 16,000 children a year were dying of treatable illnesses and other causes (see diagram below).

When the Communist regime fell in Romania (December 1989) journalists soon discovered the tragic conditions within the children’s homes and a sense of outrage was felt in Romania as well as around the world. Something had to be done.

### Child mortality rate since 1989

YEAR	NUMBER OF CHILD DEATHS (0-18 Y.O)	% DECREASE SINCE 1989
1989	16,525	-
2000	7,529	54%
2001	6,899	58%
2002	6,231	62%
2003	5,882	64%
2004	5,884	64%
2005	5,426	67%

Source: Sanitary Statistic Yearbook, Ministry of Health and Family, Bucharest

These mortality statistics show the tragic effect of Communism, on the one hand, and the results of health and social policy reform ever since.

The infant mortality rate (an infant being a child under 1 year old) has been in decline during this period. In 1989 the infant mortality rate was 26.9 per thousand and in 2003 the rate had decreased to 16.7. Source: UNICEF, 2005



Boy in maternal assistance

## International aid for Romanian child care institutions

The fall of the Communist regime was described as the “televised Revolution” and the journalists who covered it soon turned their attention to Romania’s institutionalized children. The reaction across Europe was spontaneous: massive amounts of aid started arriving by road and the authorities allowed free access to their crumbling institutions. Although the short term impact was considered beneficial, these aid efforts were ad hoc and un-coordinated.

Efforts to improve living conditions in institutions led to another reaction in the west: the idea that you could “save” a child by adopting it. But the realities of supply and demand soon led to charges of corruption and, prior to 1997, international adoptions were not strictly regulated.

In 2001 a moratorium put an end to international adoptions, a decision that was upheld by the child rights law which came into effect in 2005.

It became clear that the entire child protection system needed to be redesigned.





## By the late 1990s the “best interest of the child” became the basis for the reform of the system

The UN Convention of the Rights of the Child was the result of 10 years of consultation with experts from all over the world. It was ratified by the UN in 1989, by Romania in 1990, and has become the most ratified human rights treaty ever. But putting it into practice is challenging. How do you change the system and put child rights into law? How do you de-institutionalize whole systems and change mentalities?

One of the first big steps took place in 1997 when new legislation started the long and difficult process of reform. A turning point was 2001 when child welfare became a government priority. A number of radical reforms were introduced and Romania started coming up to international standards. The main emphasis was changing the priority from “institutional” to “family” care: hundreds of large institutions were closed down and scores of alternative services were set up. EU Phare funds were instrumental in this process.

The placement of children in extended or foster families became the priority when deciding on what measures to take for children which had been separated from their natural families. Public attitudes towards abandonment and institutionalization started to be challenged.

## The number of children in child care institutions has decreased hugely over the last 10 years. It was not an easy process

The main principles of the new reform were to protect the child within its family; to decentralize social services and to review the adoption legislation. It was a long and complex process, sustained by successive governments since 1997. Romania's success in reforming its child welfare and protection system has been recognized by the European Commission's Regular Reports ever since 2001.

Overcrowding was common in Romania's child care institutions before 1997, but with decentralization and reform things started to change. The large institutions started to be closed, alternative services were set up and efforts were made to re-unite children with their natural or extended families. For those children who remained institutionalized, conditions improved dramatically.

Before the reforms, the rights of the individual children in the institutions were not considered relevant. Clothes were communal and individual lockers unheard of. Contact with natural families and siblings was not considered necessary. Health and educational services were provided directly to the institutions, with no connection to these same services available to the local communities. The institutions were separate entities from the communities in which they were located.

After 1997 things started to change. The children were all provided with their own clothes and personal storage space, and contact with siblings and natural families became a priority. The separate provision of education and health services (direct to the institutions) came to an end and children were signed up to local health centres and schools.

It was the start of a massive change for the system, and a better life for the children.

## To prevent new generations of infants from being placed in institutions, new community services were set up

By the end of 2005, over 170 large child protection institutions had been closed down and, in parallel, a series of new services were set up. These services help institutionalized children find new homes or to return to their natural families. They also help prevent the separation of children from their families and are aimed to prevent the institutionalisation of children. These services are funded by county and city councils.

TYPES OF NEW SERVICES	2000	2005
Pre natal care services to prevent child abandonment	8	23
Counseling and family planning services	2	23
Mother and baby centres	24	58
Day care centres for children	16	118
Maternal assistants (professional foster carers)	6927*	14,111
Centres to support re-integration into biological families	10	48
<b>Family type placement units</b>		
Houses	57*	287
Apartments	41*	352
Old type institutions which were modulated (i.e. divided into apartments)	50*	126
Emergency services for children with behavior disorders	3	10
Support centres for youth over 18	6	50
Treatment centres for abused children	0	12
Day care centres for disabled children	11	92
Shelters for street children	0	15

\*2001 statistics

## A statistical overview of Romania's children in care

Within the overall context of the Romanian population, these figures show the real situation of children in care. As a result of a “root and branch” reform programme the number of children in institutional care has been falling, and the number of children in the care of substitute families has been steadily increasing. The best news is that the number of children who are left in hospitals has also been falling year on year.

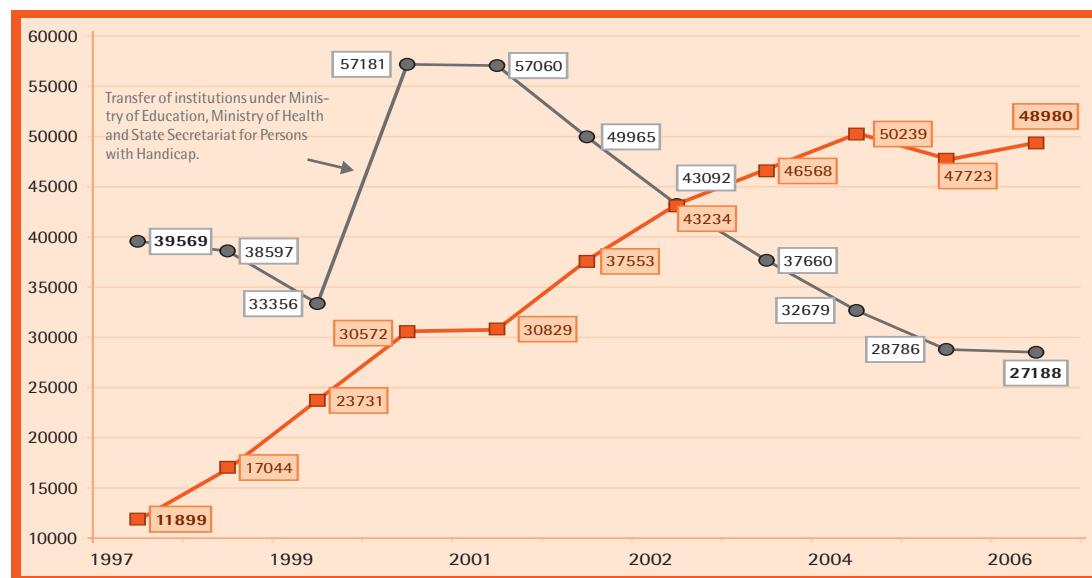
Total population of Romania, .....	21,680,000
out of which:	
Children under 18: .....	4,600,000
Children under 5: .....	1,000,000
Children under 1: .....	230,000
Children in care of state (0-18 yrs old, 2006, NAPCR figures): .....	76,168



Children in day care centre, Iasi

## In June 2006 there were 27,188 children in residential institutions in Romania

This diagram shows the number of children in institutional and “substitute family” care. Note the sharp increase in the number of institutionalized children in the year 2000. This came about because those institutions which had been under the health, education and disabled persons services were transferred to the County Directorates for Social Assistance and Child Protection. For the first time, the statistics of children in care were centralized (prior to 2000, each ministry counted “their” children separately). The age profile of those in institutional care is also an interesting factor; the overwhelming majority of them are teenagers (aged between 10 and 18). As regards the children placed in substitute families, it is worth mentioning that 24,191 (49%) are cared for in their extended families, with support and monitoring from the authorities.



Source: National Authority for the Protection of Child Rights; 47 Directorates for Social Assistance and Child Protection

- Number of children in public and private placement centres (institutionalised)
- Number of children in substitute families (relatives up to the fourth degree, public and private professional carers, other families)

## How social and health services deal with the child “abandonment” phenomenon

This diagram shows what happens to those children who were left in maternity and pediatric hospitals by their parents. Thanks to the timely intervention of social services, the majority of these children were returned to their biological families. Many of the others were placed in substitute families – relatives of the child (extended family) or foster parents. Until recently, child abandonment was a big problem in Romania but these figures suggest that the situation is being brought under control.

	2003	2004	2005
<b>Total nr of children left in hospitals, out of whom:</b>	5,130	4,614	2,580
<b>No. of children reintegrated with their biological family</b>	2,512	2,391	999
<b>No. of children placed in substitute families (relatives or foster)</b>	1,220	947	984
<b>No. of deaths</b>	16	24	25
<b>Other situations (including sick and healthy children still in hospitals, sent to centre for disabled children)</b>	1,382	1,252	572

Source: National Authority for the Protection of Child's Rights; 47 Directorates for Social Assistance and Child Protection; 42 Health and Sanitary directorates

## “Children less than 3 years old, ... should not be placed in residential care without a parent.”

Much of this brochure relates to the process of de-institutionalization, a huge problem that has now been brought under control. The following extract highlights the problem of institutionalization and also shows some of the thinking that lies behind the reform of Romania’s child welfare system.

According to an article in the British Medical Journal, “More than 50 years of research provides convincing evidence that institutional care is detrimental to the cognitive, behavioral, emotional and social development of young children. Improvements are seen in cognitive ability when children are removed from institutional care at an early age and placed in a family.”

The BMJ article concludes as follows: “children less than 3 years old, with or without disability, should not be placed in residential care without a parent. When institutions are used as an emergency measure, the child should be moved into a foster family as soon as possible. In all countries in Europe, child protection legislation and interventions to deal with abusive and neglectful parents should be developed in parallel with community services and alternative family based care for children”

### THE EUROPEAN CONTEXT

1. “Institutional care for young children is not restricted to countries in transition but is common throughout the WHO (World Health Organisation) European region of 52 countries.
2. An estimated 43,842 children under 3 are in institutional care within 46 countries of the WHO European region.
3. Education and training for policy makers and practitioners is urgently needed on the appropriate care and placement of young children facing adversity.”

Source: British Medical Journal, Volume 332 (23/2/06) from article “Overuse of institutional care for children in Europe” by K. Browne, C. Hamilton-Giachritsis, R. Johnson, M. Ostergren. [www.bmj.com](http://www.bmj.com)

## Informing the public about children's rights – an important step in the reform process

On the 1<sup>st</sup> of January 2005 child rights were passed into Romanian law. These rights are promoted by a series of public awareness campaigns and a nationwide training programme for professional groups (social workers, teachers, policemen, medics, judges and priests).

The following rights were prioritized during the national training sessions:

1. **The child's right to be raised by its parents.**  
According to the UN Convention on the Rights of the Child "the child needs to grow up in a family environment, in an atmosphere of happiness, love and understanding." This right had been abused under the Communist regime.
2. **The right to maintain contact and personal relations with his/her parents, relatives and other persons with whom the child has developed an attachment.**  
Adopted and fostered children also have these rights.
3. **The right to be heard** (by parents, teachers, social workers, judges and all those who have contact with the child in a professional capacity). According to the new law on child rights, anyone over 10 involved in a legal hearing must be heard by a judge.
4. **The right to free expression and the right to be informed.**  
For example, the right to be informed before a surgical operation, or when the family is moving house.

The fundamental principles behind Romania's child rights law:

BEST INTEREST OF THE CHILD

THE RIGHT TO LIFE AND  
DEVELOPMENT

NONDISCRIMINATION

THE RIGHT TO FREE OPINION

5. **The right to be shown respect for his/her personality and individuality.**  
According to the law, “a child can not be subject to physical punishment or humiliating or degrading treatment”.
6. **The other rights which were presented to the professional groups included the right to have cultural/ethnic identity respected, protection of public image (no photography without permission), freedom of association, the right to good health and educational services, the right to rest and free time, and the right to a name and citizenship.**

Putting these rights into practice and ensuring that all Romanian children benefit will be a long and challenging process.



Training programme for professional groups, 2005

## What is the process whereby children at risk are placed in care?

Before the introduction of child rights legislation into law, the process of placing children in institutions was relatively simple. Under the new legislation the priority is to provide the necessary support to families at risk so that babies are not abandoned and families are not broken up. In addition, it is now illegal to place children under two years old in a residential unit and social workers are now obliged to make immediate efforts to find a substitute family if a baby is left in a maternity hospital.

In order to protect the rights of the child – as well as its parents – the process of placing a child at risk is more complex than it was before. Effective implementation of the legislation requires good cooperation between the social, medical and legal services at the county level.

This diagram illustrates the process of child placement

<b>“CHILD AT RISK” SITUATION</b>	Situation reported by a teacher, social worker, priest, policeman, medic or any child or adult who knows the situation.
<b>PREVENTATIVE MEASURES</b>	First priority is prevention. Local professional groups must help resolve the problems of the individual/family at risk and must try to keep the family together. Mobilisation of the community to come together and provide all necessary services.
<b>SPECIAL PROTECTION MEASURE</b>	If it is not possible to keep the family together, or prevent abandonment, a decision must be made by the County commission for Child protection. The child may be placed in the care of a substitute family or, when this is not possible, in a residential institution.
<b>JUDICIAL INTERVENTION</b>	In the event that the natural parents do not agree with the Special Protection Measure, a court case must be convened and a judge must decide. The court must also deal with the following types of cases: neglect and abuse, possible removal of parental rights, urgent placement decisions and “special supervision”.



Girl taking piano lessons in a family type unit in a village near Cluj-Napoca

“I have seen the evolution of the system and I like how it has happened.”

RALUCA TUDOR,  
Head of Residential Services,  
Directorate for Social Assistance  
and Child Protection,  
Sector 1, Bucharest



“I am from Braila and I studied psychology at Bucharest University. I started working with children in 1992 as a volunteer for a catholic charity. I worked with street children. Lots of NGOs used to work with street children back then but they didn’t cooperate. Now there are less street children and better cooperation. In the 1990s the authorities didn’t know what to do, couldn’t react fast and were blocked in the old system. That has all changed. Now we have a Rapid Intervention Unit for street children, but it depends on good cooperation with the police and legal system.

Between 1996 and 1998 I worked in a children’s home and then I moved to the Directorate for Child Protection. In 1996 the children’s homes were managed by the Ministry of Education and the Ministry of Health and they were run as military type schools or hospitals. A few of

these places still exist. In those days the legislation was all about dealing with children who had been separated from their parents and parents were not seen as part of the solution. Now the family is legally responsible for bringing up the child, not the state.

My current job is to coordinate social work projects and implement standards. I am responsible for 15 social workers who work with those families who have children in care at home.

Social workers must have good communication skills and be empathetic; they must know the basics of psychology and have a good understanding of the law. They have to prepare Psycho Social reports for the court and also liaise with the police regarding missing identity papers and runaways. But some of these institutions move very slowly and for each case we have to lobby to get a result. Only recently do we have a good working understanding with the police.

In our area things go well because of good leadership and sufficient resources, but in the countryside it is so much harder to do social work. Each town should have 3 or 4 day centres (crèches), for example, but I doubt this is the case.

One of our big challenges is teaching institutionalized youth about independent living. How does a child who has spent all his life in an institution pay a bill? What about buying food and keeping clean? When they leave the children's homes they hit these barriers; they can't get a job as they face terrible prejudice; they can't pay the bills; they can't handle confrontations or difficult situations without getting violent or walking away. They're helpless. Only recently are these life skills being taught systematically.

I have seen the evolution of the system and I like how it has happened. It went quickly and in a good direction, but to change mentalities you need decades.”



“It seemed incredible when they told us we would be only 4 to a room, not 20 as before.”

VICENȚIU MAFTEI,  
Psychologist,  
Directorate for Social Assistance  
and Child Protection,  
Sector 1, Bucharest

Vicențiu Maftei works as a psychologist in Bucharest. Behind this successful career lies a dark past within Romania's violent children's homes. In telling his story Vicențiu gives us a personal insight into a system that has changed, and how he is now able to help others.

“My first memory marked my whole life. I was three. My mother was arranging some clothes in a basket when she said, “Daddy is coming.” The next image is of someone violently hitting my mother in her face and throwing her down. This blow altered my life considerably. In a way my father taught me aggression, which I must admit did help me survive the system.

When I was 4 they put me in an institution. I remember a huge red gate and my sorrow. For the next 10 years my mother only visited twice. But I was lucky; the head of the unit liked me and

would bring me to her home. This helped me to overcome the trauma of abandonment. When I was 6 they moved me to another institution, where I lived until I was 17.

The worst period was 1986 to 1990, when the kids ruled the institution. It was a time of terrible fear and not even the staff were spared the relentless violence. I was sent out by the older boys to beg, steal and scavenge. At the age of 10 I ran away. I slept in bushes for three weeks, but they found me. The older ones beat me for a whole day and I never even thought about running away again. It was a fight for survival and you couldn't possibly confront an older kid.

I grew up, became a leader and it was now my turn came to beat the others. I ruled the center and felt what it was like to be a king with absolute power. There was one boy I really couldn't stand and for three years I had systematically tormented him. One day a teacher casually told me, "You know this kid is your brother?" I can't imagine anything more ironic and cruel.

After 1991 things started to change. It seemed incredible when they told us we would be only 4 to a room, not 20 as before. An end was put to the beatings and the constant state of fear disappeared. Suddenly you could relax. The living conditions improved dramatically. Well trained specialists took over the management of the child care system, but the salaries for professionals working with the children are low. It's hard to make a living and the good ones come and go.

I was paralyzed with fear when leaving the system. I trembled when I entered university and people addressed me. On the street I physically felt how the world is separated in two: kids from the children's homes and the others. I wasn't prepared for life. But finally I came to terms with my past and have come to understand the behavior of the children in the system. The world outside considers them unable to work or to take on any responsibility. In fact they are deeply insecure.

I graduated from the Faculty of Sociology and also got a post graduate diploma in Psychology. Through psychology and therapy I managed to understand my past and to identify my own traumas. Now I work as a psychologist at the Directorate for Social Assistance and Child Protection in Sector 1. Perhaps my role is to change the lives of those who have lived through this ordeal. But it is so hard to change such deeply rooted dependencies, and to teach them to love and to trust. It is difficult but if I can help even some of them, it's enough."

## Extracts from the international media

“When you look at how far Romania has come it is hard not to concede that a minor miracle has been achieved.”

**J.K. Rowling**, writing in the **SUNDAY TIMES**, following a visit to Romania, February 5<sup>th</sup> 2006

“Since 1997 Romania has been developing alternatives to the large scale orphanages, putting greater emphasis on keeping children with their mothers or extended families...New services are being built up from scratch.”

**Nicholas Wood**, **NEW YORK TIMES**, September 25<sup>th</sup> 2005

“Considerable progress has been made in the field of child protection and the solution of placing children in a family environment is obviously a successful one.”

**Yves-Claude Llorca**, **AGENCE FRANCE PRESS**, September 22<sup>nd</sup> 2005

“Romania is a model for other countries hoping to reform... Romania was the state that acknowledged there was a problem and set out to do something about it.”

**J.K. Rowling**, quoted by **ASSOCIATED PRESS**, 26th January 2006

“Over the last 4 years a quiet revolution has been happening in Romania... There was also a drive to encourage Romanian families to stay together and put an end to the longstanding practice of abandoning unwanted children...in seeking to close their orphanages, the Romanians were aiming to halt decades of mismanagement in just a few years. It was a daunting task.”

**Bob Graham**, **SUNDAY TIMES (UK)**, February 5<sup>th</sup> 2006

“Beginning with 1st January 2005, Romania has fundamentally reformed its legislation and rapidly advanced from having the worst child protection system in Eastern Europe to having one of the best.”

**Viacheslav Samoskin**, **MOSCOW NEWS**, January 2006

“For those who remember the squalor of Romanian orphanages a decade ago that came to define the cruelty of the Ceausescu dictatorship, the scene at the Sfintul Andrei day care centre in Bucharest yesterday seems miraculous... The scene is proof of the radical reform taking place in Romania’s child care sector.”

Ian Traynor, THE GUARDIAN (UK), December 3<sup>rd</sup> 2005

“Childcare in Romania has certainly come a long way since Nicolae Ceausescu’s rule, when rows of malnourished babies stared listlessly from cots... The current government’s strategy is the opposite of the Ceausescu regime’s it wants to get as many children as possible out of the big institutions...

Almost all the large Ceausescu-era institutions have been closed down in favour of alternatives such as foster care, adoption and small state-run homes...

Orphanage closure programmes and family re-integration schemes have been so successful that there are now only 33,000 children in institutional care, down from 88,000 in 1997...

Romania has undoubtedly revolutionized its childcare facilities in recent years.”

Kate McGeown, BBC NEWS, July 14<sup>th</sup> 2005

“In the recently published accession report on Romania, EU observers were positive about the situation of the childcare system.”

Tijn Sadée, NRC HANDELSBLAD (Netherlands), November 2005







"Continued progress has been made with the reform of child protection through the closure of large old-style institutions and the creation of modern child protection alternatives."

"New legislation on children' rights and adoption entered into force in January 2005. This legislation brings Romania in line with the UN Convention on the Rights of the Child and the European Convention on Human Rights and completes the reform of child protection."

**ROMANIA 2005 COMPREHENSIVE MONITORING REPORT. EUROPEAN COMMISSION. 25<sup>TH</sup> OCTOBER 2005**

Published by National Authority for the Protection of Child's Rights (NAPCR)

Phare 2003 "Educational Campaign on Child's Rights"

The content of this material does not necessarily represent the official position of the European Union.

September 2006

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