

Issues to consider in designing a Child Protection System¹

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Question

1. *What are the common components of a functioning child protection system?*
2. *What does the literature tell us about the relationship between the formal and informal sector elements an effective child protection system – particularly in low resource settings?*
3. *What are the common weaknesses or bottlenecks in a child protection system?*

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¹ This paper is the first part of three-part study on child protection undertaken for DFID. The second and third papers are 'The system approach to child protection', and 'Examples of effective child protection systems in practice'.

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1. Executive summary

Broadly speaking, a functioning child protection (CP) system operates through the provision and implementation of services administered at both central and local level. Responsibility lies with a range of actors, including government bodies, civil society organisations (CSOs) and community networks or committees. Service delivery is commonly comprised of the following components:

- Laws and policies
- Governance
- Finance
- Protection and response services
- Care management and regulation

(UNICEF, 2013: 3).

However, evidence also suggests that the following components are also key in enabling the effective delivery of child protection services:

- Human resources and the social workforce
- Monitoring and data collection
- Public engagement and awareness

(UNICEF, 2013; Thompstone et al. 2014; Wessells 2015; Save The Children 2008)

Evidence suggests that, in low resource settings in particular, a range of non-formal and informal mechanisms informed by traditional and/or community-based practices play an important role in providing child protection, particularly in isolated or rural settings where formal state-based provision is under-resourced (Thompstone et al. 2014; Wessells 2015; Kreuger 2014). However, there are a number of challenges in ensuring an effective relationship between formal and informal sector elements, including a lack of regulation and oversight, differing conceptions of child protection, and a frequent lack of engagement by or with formal systems. From a research and design perspective, there is weak evidence base regarding the effectiveness of traditional and community-based networks and practices in addressing child protection issues (Wessells, 2015: 10). This review does not look in detail at child protection in emergency or crisis settings.

Common weakness and bottlenecks in child protection systems, particularly in low-resource settings, include but are not limited to:

- Poor implementation of system-wide frameworks for regulation
- A need for meaningful engagement with public understandings of child protection
- Weaknesses in service provision at local level
- Limited capacity and capability of the social workforce
- Lack of evidence and knowledge based on data

(Krueger et al., 2014; Wessells et al., 2015; Thompstone et al., 2014; Save The Children, 2008)

The strength of evidence found was strong in terms of design approaches and key components of child protection, although the majority of documents on this theme date from 2008-2011 and

do not appear to have been updated since then. Evidence on the levels of impact of different approaches was harder to find. Historically, the bulk of literature documenting child protection systems has mainly focused on North American and European contexts (Freymond & Cameron, 2006; Gilbert et al., 2011; Stafford et al., 2012). However, more recently, research has started to focus more on child protection systems in low- and middle-income contexts, and the literature reviewed for this study includes research focussing on child protection activities in specific settings (e.g. Prickett et al., 2014; Kostelny et al., 2013), at national level in a number of individual countries (e.g. Wessells et al., 2014; UNICEF 2015a, 2015b, 2015c, 2015d), and across a range of national systems at global regional level (e.g. Krueger et al., 2014; Thompstone et al., 2014). In addition, the review also draws on research on recommended approaches to child protection in low-resource settings (e.g. Norris et al., 2015; World Vision International, 2011; Save The Children, 2008).

The evidence frequently mentions gender as a specific area of focus when discussing child protection services, but did not discuss gender as an issue in the context of effective development of child protection systems. However, this review did not include disability as a focus in these considerations.

2. Key components of a functioning child protection system

An overview of child protection systems

The formal child protection sector is relatively new and has seen rapid developments over the past 15 years. This has been a shift from being mainstreamed within other sectors, towards the development of issue-based programming designed for working with specific groups of vulnerable children, through to the current emergence of a 'systems approach' that aims to provide a more comprehensive solution to the diverse protection needs of children.

However, current research also explores the different ways in which child wellbeing, child protection and family welfare are understood globally, emphasising that child protection systems are reflective of the institutional and cultural contexts from which they have developed (Thompstone et al., 2014: 6). Thus, an emerging body of evidence has highlighted the need for donors and practitioners to include non-western typologies of national child and family welfare systems in their thinking. This involves exploring the caring practices of families and communities, ensuring that inter-relationships between the different actors are upheld or maintained (Krueger et al., 2014; UNICEF, 2013).

In this context, social participation from children, families and local governments in unison with actors on a national and international scale should be regarded as a further means of ensuring that a CP system operates effectively (UNICEF, 2013; Delaney et al., 2014; Krueger et al., 2014; Child Frontiers, 2016; Wessells et al., 2014). Based on this, as highlighted by Delaney et al (2014: 16), such systems should then be guided by mechanisms which:

- Promote equality and equity among men and women and different actors
- Consider and abide by the cultural values of the community

- Prioritise the needs of children
- Take an interdisciplinary approach to provision of prevention and response services

In reviewing the key components of a functioning child protection system, we provide a summary of the common mechanisms that make up an effective system, together with some of additional elements that enable it to function. In addition, we also provide an overview of the key state and non-state players frequently engaged in the development and delivery of effective child protection at national and local level.

Common mechanisms that make up a functioning child protection system

In coordinating the activities of the broad range of state-based cross-sectoral partners indicated above, and in ensuring the delivery of effective child protection across sectors, there are a range of key components required of any child protection system:

1. Child protection laws, legislation and policies

In order to provide both the framework for protection and the basis on which agency action can be provided, any state needs a clear foundation through national legislation on child protection. Such legislation will also inform any accompanying policies, strategies and guidance that support the implementation of CP. The 1989 Convention on the Rights of the Child (CRC) is a frequently-referenced international benchmark in the development of domestic national policies on child protection (Save The Children, 2008: 28).

The establishment of a comprehensive national legal and policy framework for child protection involves the engagement of government and civil society in a range of key activities. Most prominent among these are the review of laws and policies to ensure compliance with the CRC and other international standards, alongside the government's ratification of all relevant international and regional conventions on child protection. Ideally, these documents should also inform the development of a national child protection policy statement or national framework document. They might also assist in the identification of any significant gaps in current legal or policy provisions on child protection across all sectors (Save The Children, 2008: 13; Newell, 2008; Thompstone et al., 2014: 16-18).

Once in place, any national policy or framework document can then inform the development of a national plan of action for child protection. In the first instance, such documents can focus on addressing specific child protection issues such as the elimination of corporal punishment, the worst forms of child labour, the commercial or sexual exploitation of children, and the mandatory reporting of abuse and neglect. Additional areas of CP priority include interventions on the care and protection of vulnerable children, and establishing appropriate legal procedures for the prosecution and sentencing of offenders (Save The Children, 2008: 13; Newell, 2008; Thompstone et al., 2014: 17-19).

2. Mechanisms for cross-sectoral coordination across government bodies and other stakeholders

An effective child protection system is made up of a broad range of cross-sectoral stakeholders, including, potentially, non-government bodies. Each will operate with particular responsibilities for delivery, response and monitoring of child protection either across or within their own sectors (Save The Children, 2008: 14). In this context, effective channels for collaboration and coordination are a critical element of child protection systems. All actors with responsibilities to prevent and respond to child protection concerns need to be linked into the child protection system, and the roles, responsibilities, and lines of communication between these actors should be clearly defined to ensure system-wide governance and accountability and minimise protection gaps for children (World Vision International, 2011: 13).

In creating a co-ordinated and integrated network, the identification of a lead government department or agency with responsibility for the coordination of child protection is a key first step. Commonly housed within a Ministry of Social Welfare, it is important that this agency has the capacity to oversee and co-ordinate delivery, and to hold other actors to account (Save The Children, 2008: 14). Secondly, all government departments and agencies should have a clear understanding of their role and responsibilities, and that these be framed in terms of formal agreements between departments. If non-governmental organisations (NGOs), civil society organisations (CSOs) or other non-state agencies are also involved in service delivery, similar frameworks are required to capture their roles.

In many cases, it is common for such frameworks to be developed through national child protection committees, featuring representation from all key government agencies (Kreuger et al., 2014; Thompstone et al., 2014: 13-15). Such committees will also oversee joint working across the planning, management, provision and delivery of child protection services, and inform the work of local interagency bodies in developing and implementing child protection policies and procedures at regional, district and/or community levels (Save The Children, 2008: 14).

3. Adequate funding and budgetary planning

Partly due to the widespread reach of child protection systems, as well as the fragmented and diverse roles of a wide range of providers across a potentially broad selection of protection programmes and services, it is often difficult to get an accurate picture of funding and to assess whether it is being allocated in the most efficient way to get the best return on expenditure (Save The Children, 2008:17-18; Thompstone et al., 2014: 53, 61). Aside from this, in many contexts, child protection is also frequently underfunded (Save The Children, 2008: 17; Thompstone et al., 2014: 58).

While civil society has a key role in advocacy to governments to increase resources for child protection, any state-led body with overall responsibility for delivery of child protection services can seek to address these issues by firstly undertaking an assessment of existing national budget allocations across all child protection activities, and comparing this with allocation and expenditure in related sectors – e.g. education, health and social welfare. This can be followed by an analysis of required resources associated with provision of child protection programming and services, both in terms of direct delivery by child welfare agencies and social workers, but also in terms of necessary sub-sectoral activities, e.g. within education, health or justice. From a developmental perspective, this process might also be augmented by an analysis of costings

resulting from the failure to deal with child protection failures (Save The Children, 2008: 18; Thompstone et al., 2014: 54).

4. Preventative and responsive child protection services

As indicated elsewhere in this report, emerging thinking on child protection is increasingly focussed on the importance of a holistic, system-wide conception of child protection, acknowledging the roles and responsibilities of a broad range of family, community, and social networks, in addition to those of child protection professionals (Save The Children, 2008; World Vision International, 2011: 2, 17). However, within this, service-based delivery is reliant on a range of professional and service-based interventions explicitly associated with child protection. These interventions can be broadly grouped into two categories: prevention and response.

Firstly, interventions associated with prevention are designed to stop children from coming to harm. Services in this are likely to take particular account of specific or immediate circumstances that make children vulnerable, including, for example, parental death or family separation, illness, conflict or emergency settings or local cultural beliefs and practices (United Nations, 2006: 12-13). However, the move towards holistic and systemic models of child protection has sought to include, as part of prevention measures, the consideration of wider root causes contributing to child vulnerability. These include, for example, poverty, discrimination and gender (Save The Children, 2008: 15-16; Wessells et al., 2014: 14-16).

In reducing the risks from these factors and to strengthen the resilience of children, families and communities to better protect children, government systems can provide various kinds of interventions that support prevention. Operating across a broad range of social sectors, with varying levels of formality, they include statutory procedures such as birth registration, maternal and child health services, and registered enrolment in formal and non-formal education. They can also include targeted or context-specific interventions, such as social protection measures including cash transfers, micro-credit schemes, mental health services and Disaster Risk Reduction (DRR) initiatives (Save The Children, 2008: 15).

Firstly, they can include more informal interventions such as community education and awareness programmes, parenting programmes, children's clubs and committees. In this final community-level context, civil society has an important role to play in supporting a range of informal preventative measures (Save The Children, 2008: 16).

Secondly, interventions associated with the response to identified child protection needs are largely designed to address the impact of specific child protection failures and to support children's recovery and/or reintegration. In many country cases, formal child protection systems are often primarily or exclusively associated with response-based initiatives, to the detriment of awareness of or investment in preventative approaches (Thompstone et al., 2014: 43). As with preventative measures, they can be run by a broad range of providers including local or national government agencies, NGOs and the civil sector, the private sector and community-based groups. However, these interventions are more likely to feed directly into the formalised framework of child protection services. They are also more likely to require the involvement of trained child protection specialists in assessing, investigating, and referring the needs of individual children on a case-by-case basis, all of which are important elements in an effective child protection response (Save The Children, 2008: 17).

Common child protection mechanisms associated with response interventions include drop-in centres, child help lines, child-friendly spaces and self-help groups where children can access counselling, support or care. They might also include initiatives to strengthen children's longer-term resilience, including life skills training, vocational training and night schools. For children with acute protection needs, interventions might include child removal mechanisms, placement services for children who are unable to live at home, emergency shelters, treatment services or legal action services. Such services may also include longer-term initiatives to support family tracing and reunification or access statutory entitlements (Thompstone et al., 2014: 39-40; Save The Children, 2008: 17).

5. Effective regulation, minimum standards, and oversight

In implementing the broad range of developmental, managerial and service delivery activities set out in 1-4 above, and in maintaining oversight of the range of state and non-state bodies potentially engaged in the provision of cross-sectoral child protection, a child protection system requires an explicit framework of regulation and practice standards.

In addition to having agreed national standards for dealing with vulnerable children, such regulation includes robust accountability mechanisms in relation to the performance of various parts of the system, both at central and local levels. Individual agencies and service providers require regulations and minimum standards for operation, together with licensing and regulation plus inspection and assessment frameworks. There should also be frameworks for the independent monitoring and reporting on the performance of the child protection system across all sectors (Save The Children, 2008: 14).

Additional factors contributing to a functioning child protection system

In delivering the broad range of mechanisms outlined in the section above, the effective on-going implementation of a nationwide child protection system is also partly reliant on the presence of a number of further elements. These include the following:

A skilled child protection workforce

In order to operate according to required standards, a child protection system needs a skilled and appropriately resourced child protection workforce, deployed in sufficient numbers to address specific needs. In low-resource settings or fragile states, this can be a major challenge to the functioning of a child protection system. Further to this, a system-wide model of child protection requires appropriate levels of technical skills among a body of professionals in a range of parallel sectors such as education, health and justice (Thompstone et al., 2014: 48-50).

The training, recruitment and utilisation of such workforces will rely on a substantial central and localised system for professional development, monitoring and accreditation.

Knowledge and data on child protection issues and good practices

In monitoring the performance of both child protection agencies and the mechanisms of the system as a whole, it is necessary to have mechanisms for gathering and analysing data on all child protection interventions. However, in developing effective and appropriate child protection systems it is also important for any state to have clear understanding the magnitude, characteristics, and trends of child protection issues within their own context.

In doing so, it is necessary for all relevant government bodies to regularly collect and publish national statistics on the prevalence of key child protection issues, and to co-ordinate the sharing of this information across central government departments, between different sub-national units at regional, district or local levels, and between government and civil society (Save The Children, 2008: 14). Key means through which such information can be gathered include census-related household surveys conducted that include questions on child protection issues, such as the use of child labour or physical punishment of children; and data drawn from the numbers and characteristics of children in contact with the existing child protection system (Save The Children, 2008: 14). In all cases, such data should be disaggregated by gender, age, disability, ethnicity, economic status etc, in order to draw out information associated with the root causes contributing to child vulnerability. Evidence shows that range of harms to children vary according to gender, social and economic status, and age (Wessells et al., 2014: 16).

Finally, such data should be used to inform national research on child protection issues, identifying priorities related to the nature and extent of child protection problems, identifying risk factors, and providing evidence on what works in terms of prevention and response interventions. The findings from both high-level national data analysis as well as systemic and institutional performance monitoring can then be used to inform subsequent development policy and practice development (Save The Children, 2008: 14).

Public engagement and participation

The protection of children is not the sole responsibility of child protection specialists, social workers and other professionals working with children. A child protection system also has to develop and maintain links with other non-professional systems or act in concert with them (Save The Children, 2008: 8). As seen in the emerging discussions around holistic and integrated child protection systems, the range of formal state-led child protection mechanisms benefit from engagement with non-formal CSOs, as well as pre-existing community-based mechanisms that utilise traditional networks to support child protection. A bottom-up approach to systemic strengthening builds on these pre-existing networks, but also works to feature community action and stimulate community-state collaboration (Wessells, 2015: 8).

Utilising this to best effect requires state-based systems to secure the involvement and support of the wider public in playing an active part in child protection and identifying 'at risk' children. This can be undertaken through: awareness-raising campaigns on a range of child protection issues; engagement with a range children's organisations, community and faith-based organisations; and the provision of clear guidelines on what to do and who to contact if they have concerns for the safety or welfare of a child (Save The Children, 2008: 14).

Further to this, and in keeping with the rights of the child, children's own experiences and views should also be reflected within the child protection system, in both individual cases (e.g. care

proceedings, judicial hearings, and DDR² processes) and in the development of laws, policies, services and other programmes at national and sub-national levels. Meaningful consultation with children should be factored in to any public policy decisions on child protection and service provision (Save The Children, 2008: 19).

Key players in child protection systems

As outlined above, the provision and implementation of child protection services is administered at both central and local level. Responsibility for the delivery of various services is placed with a diverse range of actors including government bodies, civil society groups and community networks or committees (Wessells, 2015: 9), and it is important to take account of these in any summary overview of child protection systems.

Government stakeholders and child protection bodies

Within the government sector, in most countries with an active child protection system, there is a lead agency responsible for ensuring the effective delivery of the national strategy for child protection, firstly through the implementation of policies and reforms, and secondly through having oversight of existing CP delivery mechanisms. These agencies are typically high-level ministerial bodies, within which lies a specialised unit or division dedicated to child protection. Commonly, these lead agencies will operate under the Ministry of Social Welfare or a related body (Kreuger et al., 2014: 47, Thompstone et al., 2014: 20).

However, not all mandates and functions of the child protection system fall under this lead agency and its host Ministry. State-led child protection tends to involve the collaboration and coordination of several ministries operating within the broader sectors of social welfare, education, health, security and justice (Kreuger et al., 2014: 47, Thompstone et al., 2014: 20).

In ensuring effective collaboration and coordination between key stakeholder bodies and delivery agents, many countries have established some form of national coordinating committee. This body may be responsible for cross-sectoral planning and policy development for children in general, or for child protection more specifically. These committees usually consist of multiple stakeholders, each having sole or part authority in facilitating and coordinating decisions (Kreuger et al., 2014; Thompstone et al., 2014; UNICEF, 2015a; 2015b; 2015c; 2015d).

In Ghana for example, the Ministry of Gender, Children and Social Protection (MoGCSP) has an established Child Protection Advisory Committee (CPAC), which guides the development of the National Child Protection Policy and encourages government stakeholders to prioritise child protection issues. As an indication of the range of cross-sectoral stakeholders involved in child protection, this committee includes representatives from: the Department of Children; Department of Social Welfare; Ministry of Local Government and Community Development; Ministry of Justice; the Child Labour Unit of the Ministry of Labour and Employment; Attorney General's Department; Commission on Human Rights and Administrative Justice; Ghana

² Child soldier disarmament, demobilisation and reintegration (DDR).

Education Services; Ghana Health Services; Ghana Police Service; Legal Aid Scheme; Judicial Services; and National Planning Commission (UNICEF, 2015a: 13).

In delivering CP services directly to beneficiaries, responsibilities are then given key agency roles, most notably social workers or child welfare officers operating with support from local offices of central agencies or, alternatively, local government. These local officers have varying levels of authority. For example, child welfare agencies in Fiji, Kiribati, Malaysia and Papua New Guinea give social workers responsibility to receive and investigate concerns about children in need of protection, and to apply to the court for a protection order where necessary. In Myanmar and Thailand, child welfare officers similarly receive and investigate reports, but decisions about protective interventions are made by the head of the social welfare agency rather than the courts (Thompstone et al., 2014: 14).

In other countries, responsibility for making decisions about the care and protection of children lies generally with the local government. For a number of countries in sub-Saharan Africa (e.g. Senegal, Kenya, Ghana and Tanzania), the ministry responsible for women, children and families operates as the key government body with oversight of child protection. However, responsibility for the delivery of all child protection services, including human and financial resources, coordination and referral mechanisms, lies with local government authorities (UNICEF, 2015a; 2015b; 2015c; 2015d). Similar arrangements exist in Vietnam (the People's Committee), Mongolia (the local governor's office) and Cambodia and Lao PDR (local CP committees) (Thompstone et al, 2014: 14).

Non-state actors

In addition to the government's role in facilitating child protection, civil society organisations have, for many years, been key funders and service providers within the child protection sector. Depending on the context, these may include religious or faith-based organisations, national and international NGOs, and community-level voluntary groups (Wessells et al. 2014: 22). The role of non-state actors such as these is often to compensate for the lack of state services at the decentralised level, or to complement and augment those systems already in place. This is particularly the case in low-income countries or low-resource settings. In Senegal for example, child protection services are supported by a range of international actors including ChildFund, Handicap international, the International Labour Organisation, the International Organisation for Migration (IOM) and various UN agencies. These organisations work to train stakeholders, and strengthen prevention and response services under the framework of a coordinated systemic approach (UNICEF, 2015c: 14). In such countries as Cambodia, Indonesia, Papua New Guinea and Timor-Leste, where few government social workers are available, such groups are perceived as filling the service gap (Thompstone et al. 2014: 36).

Community-based child protection mechanisms are local-level groups or processes that work to prevent or respond to risks to children. They are a key part of child protection systems since they operate at grassroots level, often in communities without the presence of formal child protection agencies (Wessells, 2015: 9). According to a study examining community-based child protection processes in refugee camps in Rwanda, organisations such as NGOs and churches played a significant role in educating and informing on child protection issues at community level (Prickett et al., 2013: 9). In contexts where there is a lack of official child protection actors, volunteer community members and community centres often play an observational role and act as a

referral agency for the protection of children. This is the case in countries such as Senegal, Kenya and Tanzania (UNICEF, 2015b; Wessells et al., 2014; 21). Similarly, in many parts of East and West Africa, community chiefs and extended family are often key actors in the monitoring and reporting of child protection issues (Norris et al., 2015; Prickett et al., 2013; Kostelny et al., 2013; Krueger et al., 2014).

Finally, in some cases, the private sector can also play a role in strengthening the delivery of child protection services. For example, in Tanzania, with support from UNICEF and others, the Government has partnered with Tigo, a mobile phone service provider, to introduce a new birth registration system, a service directly feeding into the state-led protection of children (UNICEF, 2015d: 20).

3. The relationship between formal and informal sector elements in child protection

Emerging evidence from a range of contexts is highlighting the importance and value of formal child protection systems; whether developed and implemented by state or non-state actors, to take fuller account of traditional community-based child protection practices that may already exist and operate as part of the existing social fabric in particular settings.

In the context of this review, formal sector elements are defined as those components of a child protection system that are established or sanctioned by the government and guided by laws, regulations and policies. Informal sector elements are defined as traditional community-based practices that do not have state-based mandates for child protection, and nor are they regulated or assessed through state-led mechanisms. Instead, they are shaped by the attitudes, values, behaviours, social norms and traditional practices in society (World Vision International, 2011: 2).

Exploring the caring practices of families and communities, and seeking to ensure that those informal inter-relationships are upheld or maintained as part of a more formalised and regulated system, can be a significant contribution to the establishment of a functioning child protection system, particularly in low-resource contexts (Krueger et al., 2014; UNICEF, 2013). In many countries with few resources, it can be regarded as imperative to draw upon positive assets of protective family and community practices, such as kinship care and traditional mediation processes (Thompstone et al., 2014: 6). Further to this, given the cross-cutting nature of child protection, the relationships between the formal child protection system and other traditional systems should ideally be clearly established (World Vision International, 2011: 13).

However, it should also be noted that, from a research and design perspective, there is also a very weak evidence base regarding the effectiveness of traditional and community-based networks and practices in addressing child protection issues (Wessells, 2015: 10).

Facilitating interaction between formal and informal sector elements

In linking between these formal and informal systems, evidence suggests that a significant role in child protection is played by non-professional actors such as religious and traditional leaders,

and community volunteers (UNICEF, 2015b; Norris et al., 2015; Prickett et al., 2013; Kostelny et al., 2013; Krueger et al., 2014; Thompstone et al., 2014). Since, depending on the context, there can be a certain degree of state regulation over these roles, these roles and the mechanisms that support them might be best termed for this review as 'non-formal' sector elements.

Many communities have key figures such as chiefs, assistant chiefs, and elders, as well as local police, teachers, and children's officers. These roles and positions are placed both within the community and operate as part of the formal child protection system. These connectors sometimes receive and act on community referrals in regard to child protection issues. In this regard, they served as important points of linkage at the local level between the informal and the formal aspects of the child protection system (Wessells et al., 2014: 28).

However, evidence suggests that, while an effective relationship between formal and informal sector elements can bring potentially significant benefits to state-wide child protection systems, there are also numerous practical challenges to doing so, particularly in terms of utilising non-formal roles and mechanisms that may already be in place.

The benefits of an integrated relationship between formal and informal child protection mechanisms

In simple terms, an integrated relationship between informal child protection mechanisms, such as traditional community-based practices, and formal state-led systems can be defined in terms of either logistical or theoretical benefits.

The logistical benefits rest on the ability of traditional community-based mechanisms to maintain oversight of child protection, assess children's protection, and monitor and respond to protection violations at a highly localised level. This is particularly valuable in low-resource settings or isolated rural contexts where local state-led child protection systems may not have the capacity to fulfil such roles (Save The Children, 2008: 8). In addition, such networks also have a clear community mandate to engage socially, and can enact change and mobilise scarce community resources in a way which state-led mechanisms may not be able to achieve (Save The Children, 2008: 8). These systems are recognised, accepted and used by local communities, and when a problem cannot be resolved internally within the family, they typically turn first to traditional authorities for assistance (Thompstone et al., 2014: 6).

For example, in a range of communities in Kenya, community-based agents are the primary responders to child protection issues. These non-formal mechanisms are linked with the formal child protection system, even at community level via the chief and elders, who are seen in part as state representatives. In this context, the formal elements of the child protection system (e.g. social workers and child protection officers) were mostly 'second tier' responders. They were used primarily when the harm was a criminal offense or when people had tried using non-formal mechanisms, but had not achieved the outcomes they had wanted (Wessells et al., 2014: 22).

In terms of theoretical benefits, the informal system may be in a position to contribute to and inform the practices of the formal state-led system by building upon existing 'assets' and positive practices at the community level (Save The Children, 2008: 8). In Kenya, evidence suggests that informal community-based mechanisms for child protection, when based on the traditional roles of religious leaders, elders and chiefs to address and respond to child protection issues, are able

promote stronger linkages and greater integration with formalised and/or state-led child protection mechanisms (UNICEF, 2015b: 23).

In building on this, the research suggests that these traditional community-based mechanisms would benefit from further strengthening in order that they, firstly, become part of the systemic referral pathway for child protection, and, secondly, be also used to monitor the work of the formal system (UNICEF, 2015b: 23). Previous work with these groups has sometimes failed to build adequately on existing strengths and preventive factors, with reduced effectiveness and sustainability as a result (Wessells et al., 2014: 19).

The challenges in ensuring an effective integrated relationship between formal and informal child protection mechanisms

While the benefits of an approach to child protection that integrates informal traditional community-based child protection practices with formal state-based mechanisms are increasingly recognised, research from low resource settings suggests that establishing an effective relationship across the two systems is often challenging.

In general terms, in settings with particularly strong or well-established traditional systems (e.g. Timor-Leste, Papua New Guinea, Solomon Islands) the formal system is rarely used, understood or mentioned by communities as a potential source of assistance, especially in rural areas (Thompson et al., 2014: 6). In addition, while child protection operates through traditional and community-based networks, evidence suggests they have limited capacity, effectiveness, and reach, and often fall short of making the steep reductions in harms to children that are needed (Wessells et al., 2014: 19-20).

In logistical terms, there are a number of challenges in governing any relationship between the two sectors. Firstly, from a managerial perspective, there is a danger that state-led child protection systems can 'overload' such groups with roles, responsibilities and activities for which they have neither the resources nor the training to fulfil them (Save The Children, 2008: 8). In Kenya, non-formal community mechanisms are of central importance in responding to risks to children, yet are overstretched (Wessells et al., 2014: 21).

Such overloading can occur in particular when local state-based resources are inadequate. When mapping current child protection mechanisms in Tanzania, the Department for Social Welfare and the United Nations Children's Fund (UNICEF) found that formal CP structures at district and community levels were either weak or non-existent. For example, they found no evidence of a joint CP approach by police, health and social welfare officials, or any structures working comprehensively to reduce levels of violence, early marriage or teenage pregnancy or the numbers of children living on the street or in residential care (UNICEF, 2015d: 11). In this context, the internal weaknesses facing the formal system made it highly ineffective in terms of its interaction with pre-existing traditional community-led practices (UNICEF, 2015d: 22).

Secondly, from a governance perspective, there is also evidence of blockages in the mechanisms linking the formal and informal systems, thereby hampering the effectiveness of child protection mechanisms and interventions (Prickett et al., 2013: 94). For example, at a local level, the child protection system can be open to low-level bribery and corruption. Evidence from Kenya reports that community members may be reluctant to go to those non-formal representatives that provide the linkages between informal and formal systems – e.g. village

elders, chiefs, or assistant chiefs - because they ask for 'something small,' that is, a bribe, before they take any action through the formal system. In other cases, highlighting similar issues in the relationship between informal and formal sector elements, in Kenya it was reported that perpetrators who had been apprehended for a crime such as rape of a child might bribe the police to drop the case or pay money to the victim's family (Wessells et al., 2014: 27); similar examples are cited in a range of countries across Asia-Pacific (Thompstone et al., 2014: 41). Evidence from Rwandan refugee camps points towards preferential treatment for certain social or ethnic groups among community leaders, reducing the levels of trust placed on certain actors (Prickett et al., 2013: 88, 94).

Thirdly, from a perspective of service delivery, perceptions can exist that reporting child protection issues to authorities through the formal system does not lead to action, whether from local agents or further up the system. For example, in Kenya, reports exist of cases rarely making it to trial due to courts being backlogged with unheard cases, or a lack of engagement from responsible authorities at the next level – who by law are required to handle such referred cases (Wessells et al., 2014: 27).

Outside of logistical issues, and talking in terms of the conceptualisation of child protection, there are also challenges to in the relationship between formal and informal systems. Traditional community-based child protection practices are shaped by the attitudes, values, behaviours, social norms and traditional practices in society (World Vision International, 2011: 2). It is often the case that certain aspects of these traditional practices run contrary or in opposition to the practices and understandings advocated for by formal state-led child protection systems, or recognised by social workers or other child protection specialists (Thompstone et al., 2014: 79; Krueger et al., 2014: 3). For example, in Kenya, examples are cited of community members, including chiefs and elders, using harsh corporal punishment or threatening arrest on children or their families who do not engage in activities seen to benefit the child, such as attending school. Although Kenyan national laws expressly prohibit corporal punishment of children (e.g., Article 29 of the Kenyan Constitution), child beating was viewed locally as an essential means of protecting children. In the same context, communities generally supported female circumcision, which is illegal under Kenyan law and widely regarded by child protection workers as a harmful traditional practice (Wessells et al., 2014: 22). Similar cases are cited in the context of Rwandan refugee camps by Prickett et al. (2013: 87).

Related to this, the state-led process of engagement and integration with traditional community-based practices needs to be handled carefully. In heavily centralised and regulated systems, there is a danger that the formal child protection system may seek to dominate or direct the activities of the community-based actors. In this context, the effect may be to undermine, overrule or isolate traditional practices rather than engage with them (Prickett et al. 2013: 85; Thompstone et al., 2014: 71). Wherever possible, such networks should be integrated into the national child protection system with the aim of supporting and enabling them, not controlling them (Save The Children, 2008: 8). For example, in the Kenyan context, because families and communities are sources of both protection and risk to children, it was seen as important to work simultaneously on strengthening positive community practices while working to change the harmful practices. Current evidence indicates that the most effective means of changing harmful traditional practices is not through a top-down, didactic approach or through legal approaches alone but through a patient, internally driven process of dialogue, problem-solving, and changing social norms within communities, across families, and between citizens and authorities. In

essence, communities and families must decide themselves that the time has come to stop harms to children such as female circumcision and sexual abuse of girls within the family (Wessells et al., 2014: 23).

4. Common weaknesses and bottlenecks in child protection

When discussing child protection systems in developmental or low-resource settings, whilst the national scope of a formal child protection system implies implementation and operation through a broad range of state structures, this may not be possible for a range of reasons. For example, the state may be extremely weak, particularly in terms of decentralised mechanisms. In other contexts, state structures may not effectively extend to specific geographical areas or populations. In certain settings, the state and its various agencies may themselves be, in legal terms, negligent towards or even abusive to children. In terms of common weaknesses at state level, while governments may present a commitment to child rights, at different levels there may be a denial or avoidance of child protection issues, a lack of political will to enact specific change, competition across sectors or agencies for resources, or a lack of flexibility in the existing system of government structures (Save The Children, 2008: 11).

Emerging from this general landscape, there are a number of common weakness and potential bottlenecks in child protection.

1. Poor implementation of system-wide frameworks for regulation

A child protection system – especially one including a range of service providers from the state, private sector and NGOs – needs an explicit framework of regulation and oversight to ensure coordination between partners over the protection of children’s best interests (Save The Children, 2008: 15). Child protection systems in many countries frequently do not function in an integrated and holistic way. Despite a common understanding of the value and importance of co-ordinated approaches to delivery, approaches to promoting child welfare and protection still tends to be dispersed, fragment and ad hoc (Krueger et al., 2014: 5). Unlike with national education or health systems, there is often no clear vision or direction for child protection at national levels, and as a consequence, child protection systems and their range of cross-sectoral stakeholder agencies continue to adopt sometimes contradictory measures (Thompstone et al., 2014: 6, 75).

At government level, coordination between sectors is often cited as problematic, which suggests that the frequently-used committee model is not an adequate or appropriate strategy for ensuring coordination or is not functioning effectively in many contexts (UNICEF, 2015a: 13). For example, in Myanmar, vertical and horizontal cooperation is still limited among many government bodies, and there is very limited cross-sector communication and coordination, despite five coordinating committees on various aspects of child protection. In Thailand, the government ministries with responsibilities for children tend to work in relative isolation, and this fragmentation is replicated internally among departments within each ministry (Thompstone et al., 2014: 15).

In terms of service delivery, there is abundant evidence that unregulated child protection programmes and services are operating without effective oversight of their delivery against clear minimum standards, thereby creating significant risks for children's safety and well-being (Save The Children, 2008: 15). A key issue is the lack of clear, enforceable minimum standards for child protection services: depending on context, the range of actors delivering child protection services, including government agencies, civil society groups and community networks or committees, often operate with limited guidance or quality of care oversight.

For example, in a range of countries across East Asia and the Pacific, the proliferation of NGOs associated with CP service delivery is described as too unregulated, and is taking place with little regard for either government policy or standards (Thompstone et al., 2014: 36). Although most countries require civil society groups to formally register with the government, very few articulate a clear requirement for registration, accreditation and monitoring of all agencies providing child protection services (Thompstone et al., 2014: 21). Some countries have drafted standards in relation to certain types of services, the most common being standards for institutional care, inter-agency reporting, referral guidelines and memorandum of understanding. However, these often take the form of a non-binding departmental standards document rather than an enforceable regulation or decree with clear mechanisms for accountability, monitoring and enforcement (Thompstone et al., 2014: 21).

There is evidence that such situations can contribute significantly to an overlap of responsibilities and role confusion, giving rise to several concerns. Firstly, where many agencies and organisations are assigned similar roles, there is potential risk that no agency or organisation will take responsibility for a case (UNICEF, 2015a: 13). In such contexts, it is problematic to hold actors and agencies to account their duties. Representatives take on responsibility for intervening in child protection cases, with no clear mechanisms to ensure consistency and accountability in decision-making. Ultimately, decisions about the care and protection of children are often made by local officials on non-state staff who may lack appropriate training or expertise with child protection matters, and who are not provided with any systemic guidance or oversight (Thompstone et al., 2014: 25).

A common reaction of international actors is to address this problem from a capacity and efficiency standpoint through realignment of resources and training of the social welfare workforce. However, these measures do not address the fundamental capacity of the system to implement the unrealistic plans and functions that it has adopted (Krueger et al., 2014: 4).

This situation often emerges from a context in which national child protection systems are largely adopted directly from other international contexts. Without adaptation to fit the country context – both in terms of existing state mechanisms and cultural understandings associated with child protection – these models are likely to be ineffective (Krueger et al., 2014: 4). To ensure compatibility with the context and planning, child protection actors should endeavour to seek local solutions where possible, by consulting with and hear the perspectives of a broad range of stakeholders, including government and state officials, but also local leaders, families and children (Thompstone et al., 2014: 9; Krueger et al., 2014: 4).

2. A need for meaningful engagement with public understandings of child protection

Evidence from in a broad range of contexts highlights the fact that, in many low-resource or developmental settings in particular, there are clear differences in understanding of child protection between the state-led system and the wider public.

Much research draws similar conclusions for the reasons behind this. For example, in a number of countries across West Africa, child protection and child welfare policies, strategies, plans of action and structures have often been developed with the support of external experts and actors. As a result of this, there has been a tendency to replicate models and practices drawn primarily from child protection theory and practice of the Anglo-Saxon tradition, in some cases overlapping with an inherited French colonial system (Krueger et al., 2014: 4). Families and community members perceive child wellbeing and protection according to different terms, and across those countries covered, these terms were remarkably consistent (Krueger et al., 2014: 2) However, their priorities and principles were not reflected in strategy or policies, and the function of the system was of limited relevance to them (Krueger et al., 2014: 6).

As a result of these circumstances, communities are responding to child protection utilising the options available to them and following a consistent path of problem solving through localised and traditional approaches to child protection (Krueger et al., 2014: 6; Wessells et al., 2015: 5; Thompstone et al., 2014: 6). These practices are also adopted by many frontline workers surveyed, who feel otherwise incapacitated by the formal system (Krueger et al., 2014: 6). Children and families rarely access formal protection and welfare services (Krueger et al., 2014: 2). This has been demonstrated to cause child protection and family welfare services to operate in parallel to and, in some cases, compete or conflict with long-standing community practices (Thompstone et al., 2014: 79).

Low-resource countries cannot afford this type of competition, which is not beneficial in any context. Studies suggest that child and family welfare services will remain irrelevant to local communities until steps are taken to ensure that the design and implementation of the national system reflect the population's aspirations. In countries where fundamental questions about the scope, boundaries and functions of the national child and family welfare system need to be addressed, reform is likely to be a complex, long-term endeavour (Krueger et al., 2014: 7).

In responding to this, there is increased recognition among policy makers that child protection and family welfare can be approached and understood in many different ways in different societies. Building on common positive elements and principles, each country should develop a specific child and family welfare system according to its individual socioeconomic, historical and cultural context, in addition to recognised international standards (Save The Children, 2008: 18). There is a need to genuinely recognise and integrate local understanding, values, and capabilities. In summary, a balanced, congruent child and family welfare system will be best achieved through genuine consultation and dialogue between external actors, the state, civil society and communities on the basis of building partnership rather than engendering competition (Krueger et al., 2014: 7).

3. Weaknesses in service provision at local level

Evidence has shown that, regardless of country context and as a general rule, the further from a city or provincial capital any community is based, the less likely there is to be government

agencies or state child protection institutions. State-based social welfare services frequently do not extend beyond the district level in most countries, and are usually limited to one staff social worker responsible for child protection, as well as a range of other social issues. In addition, such agents are often unable to get appropriate action from higher up the formal system (Thompstone et al., 2014: 35). None of the countries featured in this study have formal state-based structures for child protection services at the village or community level, and are underutilised due to obstacles such as corruption, preference for community-based approaches, taboos against reporting, and ineffective response rates (Wessells et al., 2014: 28-29). Instead, the majority rely on a range of non-state or community-based services that operate with varying levels of regulation and oversight.

While the importance and value of non-formal and community-based child protection mechanisms in reaching otherwise underserved communities is acknowledged by a broad range of studies, it is also the case that such mechanisms can be ineffective in providing child protection for a variety of reasons, including corruption, inaction and practices contradictory to child protection norms (Prickett et al., 2013: 95-96; Wessells et al., 2014: 26-27; Thompstone et al., 2014: 36). In this context, those responsible for the protection of children are often ineffective or not acting to address issues when they have the means, suggesting that there is a gap between what such initiatives claim to do and what they actually do or achieve in real terms.

These obstacles – both in relation to state and community-based systems – reduce individual willingness to use the CP linkages that do exist at local level, even when those linkages were accessible and were the legally appropriate channels to use in responding to and preventing harms to children. Key tasks in addressing these obstacles include improving the functioning and the accountability of the formal system, building family and community support for the appropriate use of the formal system, increasing the fidelity of services to existing child protection laws and policies (Wessells et al., 2014: 26-29).

4. Limited capacity and capability of the social workforce

As indicated by the summary overview of child protection service provision at the local level, the lack of human capacity and sufficient financial resources remains a primary challenge for the effective functioning of child protection systems. Many countries in the global context operate on the basis of social welfare models characterised by limited public investment in state welfare services and functions (Krueger et al., 2014: 4). Yet, the child protection system models are resource intensive, requiring heavy financial investment and a cadre of professional social welfare staff to function optimally (Thompstone et al., 2014: 6, 81).

Many child protection systems demonstrate a lack of staffing and capacity at all levels, including in terms of sufficient numbers of professionally trained social welfare staff. Based on the figures available, it is not possible for current staff to provide services to all the children and families for whom they are theoretically responsible (UNICEF, 2015a: 11). In terms of technical capabilities, the lack of dedicated child protection staff is reportedly compounded by a lack of understanding of child protection and child protection legislation among other technical officials who have a role in implementing the laws. While many countries have formulated laws, policies and service mechanisms that constitute the system, the lack of trained and qualified staff to provide mandated services and work with families and children impairs the ability of the system to function as designed (Thompstone et al., 2014: 44).

In addition to challenges related to the social workforce and a system-wide lack of professional capacity, shortcomings in systemic regulation and co-ordination means that the geographic distribution of child protection staff is often uneven and does not correlate with need, either on the basis of population or poverty levels (Krueger et al., 2014: 4). As already discussed, the majority of staff are concentrated in urban centres, with remote or difficult-to-reach locations having few government staff or services (Thompstone et al., 2014: 46).

In terms of impact, this lack of accessibility to professional service provision for users can result in low uptake of services, creating instead a reliance on informal channels (Thompstone et al., 2014: 46).

In addressing these issues, any system is advised to take account of a range of approaches. Firstly, Governments should work towards designing a national child protection system that is grounded in a realistic assessment of the existing and projected resources at national level (Krueger et al., 2014: 8). Secondly, it should be acknowledged at state policy level that effective child welfare services are human resource intensive, and that reallocations and increased investments should be targeted towards the professional development and creation of posts for social welfare service staff. Thirdly, comprehensive capacity gap analyses and human resources planning are recommended before a system or its components are agreed (Thompstone et al., 2014: 10). Doing so would require mapping the current child protection workforce and conducting a needs assessment on the existing knowledge and skills of child protection workers, followed by capacity-building activities on key knowledge and skills, the establishment of child protection accreditation schemes and training, etc, and the provision of adequate support and incentives to the development of volunteer community-based child protection groups (Save The Children, 2008: 22).

5. Lack of evidence and knowledge based on data

In general, existing data generated by child protection systems in many countries is generally inadequate and poorly maintained, revealing a paucity of information about the design and functioning of national child protection systems. Most countries lack also adequate data and research on the prevalence of child protection problems, the risk and protective factors that influence child protection outcomes, and the social and economic impact of child protection problems (Save The Children, 2008: 15). For example, in Ghana, the system has worked to establish a foundation of research and assessment for use in measuring the results of system change, but does not yet have the capacity to evaluate the success of the reform steps it is making nor measure the impact in terms of results for children (UNICEF, 2015a: 15).

As well as its damaging impact on developing and managing child protection responses, this lack of knowledge and reliable data is also a major obstacle to increasing public and political awareness of the scale and impact of child protection issues (Thompstone et al., 2014: 10).

In terms of that research that is available, it focuses largely on the more formalised elements of a national child protection system. While these have sometimes been well described, there has been very limited exploration of the cultural dimensions and community practices to ensuring child welfare and protection (Thompstone et al., 2014: 7, 79). Given the evidence suggesting the importance and value of community practices to child protection, particularly in low-resource settings, this is an issue that needs to be addressed (Wessells, 2015: 10).

In addition, available research also focusses largely on those system elements that aim to prevent and respond to abuse, violence, neglect and exploitation. However, an expanded scope of examination is required to provide a more comprehensive picture. Evidence in the child protection debate among governments and their civil society counterparts needs to be expanded to consider broader aspects of child welfare. This would include closer exploration of root causes contributing to child vulnerability, and an investigation of those social policy measures, broader social welfare approaches and early childhood care strategies designed to overcome them (Thompstone et al., 2014: 8, 79-80).

It is vital that government and partners develop their systems based on reliable and good-quality information. In this context, there is a need for robust and user-friendly mechanisms for gathering and centralising research and data. Future research should be founded upon rigorous quantitative and qualitative data, and should aim to understand the national context of child protection and the reasons why current measures have, or have not, produced good outcomes for children and families (Thompstone et al., 2014: 8-10).

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