



Meaning Of 'Child Welfare' For Rescued Child Labourers Within the Juvenile Justice System in India: A Clash of Perceptions Between Care-Givers and Care-Receiver

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Abstract

Based on a two-year engagement with twenty rescued children and about 60 adult care-givers assigned to them to perform various care-roles, I contend that the term 'welfare' has contradictory meanings for both groups of persons leading to serious policy implications for the children's future. While the adult care-givers feel that the rescued adolescent children do not comprehend their own 'best interests' so should be pushed back to their respective villages as per law of the land, children assert their wish to stay in the city, move forward, and create better life opportunities for themselves and their families. Also, they feel that adult care-givers tend to make decisions on their behalf without their informed consent, even active participation. In other words, the principles of active 'child-participation' in determining 'best interests of the child' are not applied in spirit even though India has ratified the UN Convention on Rights of the Child that greatly emphasizes them. This paper is derived from a qualitative study of trafficked and rescued children living at two purposively selected Child Care Institutions (CCIs) in Delhi for my doctoral thesis. The girl's CCI followed a non-custodial/nonprison-like care model. It allowed children the space and scope for participating in a study like this where freedom of candid expression was a prerequisite, especially considering the largely conservative Indian mindset. The boy's CCI was also relatively progressive and child-friendly despite being a custodial home. Like the girl's CCI, it also allowed the children to freely interact with the researcher.

Keywords: best interests of the child, child care institution; child friendly, child participation; child protection policy