REVIEWING EXISTING QUALITY MECHANISMS IN CHILD PROTECTION
CROATIA
NATIONAL REPORT
REVIEWING EXISTING QUALITY MECHANISMS
IN CHILD PROTECTION
CROATIA

NATIONAL REPORT

Marina Trbus

November 2017

THIS PUBLICATION WAS POSSIBLE THANKS
TO THE SUPPORT OF:
# Table of Contents

1. Executive Summary 7

2. Research Methodology 8

3. General Description of the Child Protection System Setup 10

4. Description of the Measurement System 13
   4.1. Regulatory Framework 13
   4.2. Institutional Framework 23
   4.3. Analysis of Principles and Mechanism in the Monitoring Mechanism of CPS 27
      4.3.1. Child centred approach 27
      4.3.2. Scope of the quality control 28
      4.3.3. Role of civil society and media in monitoring 31
      4.3.4. Special measures to monitor institutional care 34
      4.3.5. Overview of monitoring mechanism in Croatia 36
      4.3.6. Gaps in the regulatory framework 44

5. Assessment of the System 47

6. Description of Identified Promising Practice 50

7. Recommendations for Improvement 53

8. Annexes 55
ABBREVIATIONS

AE - Agency for Education
ERF - Education and Rehabilitation of the University of Zagreb
CJA - Croatian Journalists' Association
CBS - Croatian bureau of statistics
CIPH - Croatian Institute of Public Health
CRC - Convention on the Rights of the Child
GRC – Government of Republic of Croatia
MC - Ministry of Culture
MDFYSP - Ministry of demography family youth and social policy
MH - Ministry of health
MIA - Ministry of the interior
MJ - Ministry of justice
MSE - Ministry of science and education
OG - Official gazette
RC - Republic of Croatia
MFAEA - Ministry of Foreign Affairs and European Affairs
MLPS - Ministry of Labor and Pension System,
OHRRNM - Office for Human Rights and Rights of National Minorities
SAORC - State Attorney's Office of the Republic of Croatia
Monitoring of the Child Protection Services, or better yet, monitoring of child wellbeing is a very significant topic in Europe. For instance, the European Platform against Poverty and Social Exclusion highlights the need for development of high quality system social indicators in order to track the level of poverty and child wellbeing. Additionally, the European Union Agency for Fundamental Rights (FRA) is investing efforts in better monitoring of respecting child rights, especially of vulnerable groups of children.

The Republic of Croatia has a good policy framework regarding the protection of children and there are several mechanisms put in place in order to monitor and evaluate the impact of implemented measures in order to work in the best interests of the child. These policies reflect the principles of “do no harm” and “work in the best interest of the child”. However, there is room for improvement for a more systematic and comprehensive approach.

For instance, in the UN Committee on the Rights of the Child’s concluding observation for Croatia’s combined 3rd and 4th periodic reports to the Convention on the Rights of the Child regarding monitoring of child wellbeing in 2014, the Committee stated that effective monitoring, evaluation and accountability mechanisms are missing, as is a more comprehensive child sensitive system of monitoring, reporting and evaluation. Additionally, the UN observed that the quality of data and data collection should be improved, as well as monitoring and evaluation of supervision measures of parenting care and institutional care and foster parents.

Participants in our research recognised that an ideal system does not exist. They did stress that a monitoring system should rely on more quality, reliable and disaggregated data, with clear measuring proceedings, such as: situation, implementation, performance, and impact. Additionally, they stated that there should be better defined roles and responsibilities, adequate human and material resources, incorporated participation of children and parents/guardians, incorporated participation of vulnerable groups, and monitoring should be multidisciplinary. They also recommended that it should include an independent evaluation of the impact of policies and measures with clear recommendations for further improvement.
Regarding a UN Committee observation about supervision of the measures of parenting care, institutional care and foster parents, in recent years there has been improvement in introducing the Protocol on Measures to Protect the Rights of the Child and his or her Wellbeing as part of the Family Act (OG 103/15). This is step-by-step agenda in family legal proceedings in order to better protect and monitor child protection actions along with the standardisation of decision-making regarding family interventions. Additionally, within the Act on Social Welfare, there is foreseen development of a participatory Individual plan for beneficiaries as a tool for need assessment and as a monitoring instrument during the undertaken social measure. The Social Welfare Act (OG 157/13, 152/14, 99/15, 52/16, 16/17) along with the National Plan of Deinstitutionalisation and Transformation of Social Welfare Institutions 2010–2016 targets to improve quality of protection of children through various measures, and here are emphasized two: reduction in the proportion of children in institutional care in favour of family-based care and assuring quality of social service in community, among others, by implementation of Social Services Quality Standards. It is also promising that there have been some actions related to defining indicators of child wellbeing as planned by the National Strategy for the Rights of the Child (2014-2020), where relevant statistical or other "markers" can be operationalised to assess and monitor the situation, needs and context of development and policy implementation of all children in Croatia. Hopefully this will be the future of monitoring of child protection in Croatia.

2. RESEARCH METHODOLOGY

The overall question the research was supposed to answer is: How does the national government ensure that it can provide necessary oversight over child protection services at different levels of governance in the country and what are potential promising practices in this regard?

In order to answer to this question, desk analysis was conducted that included a review of existing laws, regulations, policies, standards and systems, along with reports, scientific and expert articles, shadow reports and other relevant papers.
Additionally, from September to October, 2017, semi-structured interviews were executed with key stakeholders from the following institutions:

- The Ministry of Demography, Family, Youth and Social Policy
- The City of Zagreb
- UNICEF, Office for Croatia
- The Office of the Ombudsperson for Children of the Republic of Croatia
- Croatian Radio and Television
- County Court of the City of Zagreb
- Coordination of Associations for Children, Croatia.

Research questions were:

- What are the policies and laws regulating the monitoring of the quality of child protection services and what are the tools and methodologies used?
- To what extent is the system providing appropriate oversight over services provided directly by government agencies, institutions and organisations and over services provided by other service providers (including church organisations, non-profits and for-profits)?
- Is the existing system independent, accountable and transparent?
- How does the monitoring/oversight system reflect the best interest of the child?
- What are the strong and the weak points of the system? What are the missing elements of the monitoring system?
- Is there a mechanism to channel in the voice of service users (children and families)?
- Have there been any recommendations by international donors, UN or EU institutions regarding the quality mechanisms.

Interviews with key stakeholders took around 90 minutes and were recorded and transcribed.

Data from desk analyses and interviews was used within this report in order to better describe the monitoring system that is in place in Croatia along with an assessment of the system.
3. GENERAL DESCRIPTION ON THE CHILD PROTECTION SYSTEM SETUP

Croatia is a country of approximately 4.3 million inhabitants situated between Central Europe, the Mediterranean and Southeast Europe. The main spoken language is Croatian. Croatia is an ethnically homogenous country with Croats making up more than 90% of the population. The main ethnic minority is Serbian with 4.4%, followed by Bosnian (0.73%), Italian (0.42%), Albanian (0.41%), Roma (0.40%), and Hungarian (0.33%). Modern Croatian history has been influenced by several high-impact events, beginning with its independence from former Yugoslavia in 1991, the homeland war that resulted in enormous human and material losses due to the aggression against Croatia, the transition to a market-oriented economy and democratic political system, as well as the current financial crisis and Croatia joining the European Union in 2013. All of the circumstances, with the exception of the last, have had adverse effects on the Croatian economy and have directly influenced the wellbeing and quality of life of families in Croatia. In 2015 there were first signs of an economic recovery from a six year recession. The country still remains troubled by projections of low GDP growth rates, high public debt, unemployment, and weak public administration. The Gini coefficient rose slightly in 2015 when it was 30.9%, while in 2014 it amounted to 30.2%. Traditionally, the majority of Croatian citizens predominantly vote for the centre-right Croatian Democratic Union, or for the centre-left Social Democratic Party (SDP). In recent years there has been fragmentation in the political spectrum with a rise of new parties promoting centrist approaches or radical and populist policies. This all is important to have in mind in order to better understanding of existing standards, regulations, indicators and systems for the monitoring of the quality of child protection.

The Constitution of the Republic of Croatia states that “it is the duty of everyone to protect children and vulnerable citizens” (Article 65, paragraph 1). Pursuant to this constitutional provision, children in Croatia enjoy special protection. Constitutional provisions also state that “no one shall be subjected to any form of abuse...” (Article 23), and a constitutional right to a life without violence is elaborated upon by special regulations. The development of legal regulations for the protection of children's wellbeing was highly influenced by Croatia signing the Convention on the Rights of
the Child in 1991. Since then, Croatia also ratified the facultative protocols that govern child trafficking, children in armed conflict, and the processes of individual complaints towards offences against the Convention. Some of the examples of the legislation that will be more thoroughly discussed are the Family Act (OG 103/15), the Act on the Protection against Family Violence (OG 137/09, 14/10, 60/10) and Social Welfare Act (OG 157/13, 152/14, 99/15, 52/16, 16/17), Juvenile Courts Act (OG 84/2011, 143/2012, 148/2013, 56/2015).

The Croatian Government has also adopted a series of strategies and operational documents. These include the National Strategy for the Rights of the Child for the period of 2014-2020, and the National Strategy for the Protection from Family Violence for the period of 2017-2022. These strategies emphasize important protocols such as the Rules of Procedure in Cases of Child Abuse and Neglect, Rules of Procedure in Cases of Violence among Children and Youth, and Rules of Procedure in Cases of Sexual Violence. A national campaign was launched against physical punishment of children in 2009, the aim of which was to promote the upbringing of children without physical abuse and degrading treatment, as well as to encourage parents to use appropriate educational and non-violent upbringing methods. A series of other campaigns were also implemented by governmental and nongovernmental organisations designed to prevent violence against children.

The Child Protection System in Croatia is based on teams in social service centres at the local level that in most cases consist of a social worker, psychologist and lawyer. There are 81 centres of social service in greater local units, along with 37 branches in smaller cities, of which 12 are actually located in the City of Zagreb, the capital of Croatia. Along with centres and its branches, there are 17 family centres located in county capitals as a part of social centres in county capital cities. Centres for social services are institutions with public authority, founded by Republic of Croatia (RC), and
the rights and duties of the founders are carried out by the competent ministry, in this case the Ministry of Demography, Family, Youth and Social Policy (MDFYSP). As a public institution they are in charge of social welfare rights and services, and they provide or manage those services in collaboration with social partner providers to particularly vulnerable groups of citizens such as: children without parents, children without adequate parental care, children with developmental difficulties, children and young people with behavioural problems, elderly and helpless citizens, citizens with disabilities, victims of domestic violence, families at risk, low income and poor citizens and others who, due to unfavourable personal or family difficulties, are unable to meet their basic life needs.

Along with centres and their partner providers of social services, the quality of the CPS system in Croatia depends on local, county and supreme courts, law workforce, police, health and educational system, along with experts from nongovernmental organisations, media and experts from academic and other relevant expert institutions. Additionally, it is hard not to mention local, county and national governments, due to their “strong political influence“, as stated by participant of our research.
4. DESCRIPTION OF THE MEASUREMENT SYSTEM

4.1. REGULATORY FRAMEWORK

The Croatian Constitution ensures that children have special protection, and in 1992 Croatia adopted the UN Convention on the Rights of the Child (CRC), which increased the state’s commitment to children’s rights. This is an important milestone, and since then, regulations that operationalise the CRC in Croatia have incorporated, to a greater or lesser extent, a child’s best interest, do not harm and equal access approaches into those regulations. Moreover, Croatia has a number of strategic documents that define its policy framework and reform guidelines and policies that aim at better child protection, and most of them plan measures to monitor implementation and effects of these measures. In this chapter we will present some of the key legal papers that are relevant for monitoring of quality of CPS.


This is fundamental document which promotes a comprehensive and integrative approach to children’s rights. This child rights strategy includes four strategic goals:
1. strengthening services and systems for children,
2. eliminating all forms of violence against children,
3. securing the rights of vulnerable children, and
4. securing the active participation of children.

Additionally, related to the topic of this report, it is important to stress that one of the key priorities of the Strategy is to define indicators of child wellbeing, so that relevant statistical or other “markers” can be operationalised to assess and monitor the situation, needs and context of child development and policy implementation.

“...we still do not have on a national level, a strategic family policy that would then commit any political party to direct the resources of this society in the long run, so that we could perceive some kind of change. Instead, we have a partial adoption of laws that definitely improve the position of children. However, this fragmentation has no clear political background, goal or idea...."
The Family Act

The Family Act from 2003 was the first law in Croatia that had the best interest determination, and since then a child-centred approach has been built up within the changes of this act. The Family Act, enacted in 2015 (OG 103/15), is a step forward in relation to earlier family acts regarding child protection, best interest and do not harm approaches. It regulates child protection and regulates marriage, non-marital relationships, relationship of parents and children, measures to ensure child protection and his or her wellbeing, adoption, custody, counselling and family mediation and other procedures within family relationships and related to divorce. For the purposes of this research, it is most interesting that this act gives to relevant authorities (CPS team in social centres and civil courts) greater number of the measures to protect the personal interests of the child, which range from preventive measures to the act of removing the child from the family and revoking parental rights in the most extreme cases. Additionally, it establishes intent to monitor implementation and effects of these measures through several protocols. Here we will present one of them that participants from our research often quoted:

Protocol on measures to protect the rights of the child and his or her wellbeing

This protocol regulates procedures and gives a step-by-step guide for CPS experts in a social service centre on how to proceed in cases of evaluation of child wellbeing. This contributes to the standardisation of proceedings of CPS experts and contains several criteria for a CPS team to estimate the level of threat to a child's wellbeing:

• the degree of childhood life, health and safety endangerment,
• child developmental risks (low, moderate, high risk level),
• development needs of the child regarding: health, education, emotional development and behaviour, identity, family and social relationships, independence
• parental factors: parents' ability to change and improve behaviour and willingness to cooperate,
• parental abilities of deliver basic care, security, emotional warmth, encouragement, guidance, boundary setting, stability, positive upbringing
• circumstances such as a child’s ability and maturity, cognitive, emotional, social and behavioural functioning,
• results of continuous monitoring and assessment of needs and possibilities of change,
• results of previously implemented measure

The vulnerability of the child is assessed on the basis of the collected socio-anamnestic data and other related facts, as well as estimations obtained from the Child Risk Development Assessment List and the Child Safety Assessment List.

The procedure of assessing the threat to the rights and wellbeing of the child ends with the conclusion of the CPS expert team on the need to determine the protection measures for the rights and wellbeing of the child from the jurisdiction of the social service centre or from court.

Protection measures from scope of social services are:
• Emergency sheltering of the child
• Warnings on errors and omission in child upbringing
• Supervision or intensive supervision of parents in child upbringing

When a CPS expert team from the social service appoints the parent’s measures of supervision or intensive supervision of parents they also appoint a head of the measure. This is usually an expert in some field of protection of the rights of the child. A plan that contains data about the child and family, goals, length, areas and scope of work with parents, along with methods of monitoring and evaluation is then developed by the social service team and the head of the measure of supervision or intensive supervision of the parents.
Every month, the head of the measure submits a monthly report based on progress, or lack of progress, in accordance with the plan. Based on these reports, including the final report, the CPS team evaluates and adjusts the decision in accordance with the stated execution of the plan and overall improvement of parental skills and readiness for more quality child upbringing.

Aside from the team from the social service, the Family Act and Protocol on Measures to Protect the Rights of the Child and his or her Wellbeing gives tools to the court to exercise stronger measures to protect the wellbeing of the child such as:

• deprivation of the right of the parents to live with a child and to impose measurements for reallocation of the child to alternative care (foster/institutional care),
• prohibition to approach the child,
• deprivation of the right of the parental care. In this case, the centre for social service will revisit the current situation regarding child age and character and his or her best interest, and if there are suitable adoptive parents, the centre will propose adoption.

The Social Welfare Act

The Social Welfare Act (OG 157/13, 152/14, 99/15, 52/16, 16/17) provides the framework for the provision of social services and for the work of social care centres. The Act defines beneficiaries of social services and provides criteria and descriptions of implementation of associated measures. This act is human-oriented and it is grounded on several principles, such as principle of subsidiarity, social justice, freedom of choice, equal access and availability, individualization, community involvement, efficacy, respect for the human rights and the integrity of the beneficiary, anti-discrimination, transparency, participation, privacy protection and right of the feedback and complaints.

This act defines one important monitoring mechanism: The Individual Plan for the Beneficiary. The individual plan puts the final beneficiary, in this case, the child in a vulnerable situation, into focus of the CPS and the provider of the social service. The individual plan aims to change the life situation or behaviour of the beneficiary of social service based on a comprehensive assessment of needs, challenges and resources in agreement with the final beneficiary and his or her family members, in order to overcome adverse life circumstances.
The methodology of the individual plan is especially valuable as a monitoring tool for vulnerable children such as: a child without parents or without adequate parental care, a child who is a victim of family, peer or other violence, a child who is a victim of trafficking, a child with a disability, a child and a young adult with behavioural problems, a child who is outside place of residence without supervision of a parent or other adult responsible for taking care of that child and a foreign who is found in the territory of the RC without supervision of a parent or other adult responsible for taking care of him/her.

With this tool, CPS experts can monitor efficacy of social services intended for a final beneficiary, in this case, a child, review the services and modify them if it is needed. For instance, if a child is placed in a foster family, a plan will be developed with that particular child, his foster parent, the social worker that is in charge of that child and his or her parents and if needed, another person(s) can be included, such as therapists, non-violent family member and others. It is not clearly stated how often the implementation and outcomes of this plan should be monitored, but within this act, it is also specified that providers of social services must assure Social Services Quality Standards (Rules on Quality Standards for Social Services, OG 143/2014), while within other regulations there are included measures of constant supervision and support to foster families (Foster Care Act, OG 90/11, 78/12).


Compliance with a particular standard of social quality is measured by means of quality tools to monitor child wellbeing within Social Welfare Act:

- The Individual Plan for Beneficiary,
- Quality standards of social services
- Database and statistical reports
indicators through evidence that a service conforms to quality standards. Depending on the evidence of compliance with each standard available to the service provider, it shall be expressed in three levels. The first level of compliance requires the existence of written and systematic documentation of procedures, as well as other activities that the service provider performs in order to achieve the set objectives and tasks in accordance with the standards requirements. The second level of compliance is upgraded from level 1 and requires evidence to confirm compliance with the standards practice. The third level of compliance is upgraded from levels 1 and 2 and requires evidence that the service provider confirms consistent monitoring and analysis of results and work practices in order to continuously improve the quality of social services it provides. This way any provider (institutional care, foster care, other) granted by MDFYSP is obligated to assure quality and standards of social services. This is also one of the contributions to quality of care for final beneficiaries of social services and one of the monitoring mechanisms.

Beside the Individual Plan and Social Services Quality Standards, there is 3rd monitoring tool within Social Welfare Act: the Ministry has establish a Database (Article 204.). The database contains information from social care and service providers about:

- provided rights in the social welfare system and forms of social assistance
- provided social services
- providers of social services
- users of financial and other material forms of assistance and social services
- sources of funding of social welfare activities
- Other activities foreseen by the Social Welfare Act.

Based on this data, the Ministry develops reports on a one-month basis, a two-month basis and a year period, and they are available on the website of the Ministry.¹ However, within this database one can’t monitor a particular child and can’t link a particular

¹ http://www.mspm.hr/pristup-informacijama/statisticka-izvjesca-1765/1765
Individual plan with statistical data. Moreover, this database is not consistent with databases from other relevant ministries, such as those in the Internal Affairs Ministry or in the Ministry of Justice.

Finally, within the Ministry there is a department in charge of inspection. There is regular, urgent and control supervision of the provider of social services. Inspection supervision is implemented over the professional work of a social welfare home, community service centres, centres for help in the house and other legal entities or persons performing social welfare activities in accordance with this Act and a special regulation.

If the inspector has reason to suspect that a breach of a regulation has been committed as an misdemeanour offense or a criminal offense, with a decision for which he or she has been authorised, inspector is obliged to file an indictment with the established facts to initiate a misdemeanour or criminal indictment.

Law on the Ombudsman for Children

The Act (OG 73/2017) regulates the scope of work of the Ombudsman for Children and his deputies. In Article 2 it is stated that: the Ombudsman for Children’s duty is to protect, monitor and promote the rights and interests of children on the basis of the Constitution of the Republic of Croatia, international treaties and other binding legal acts and laws of the European Union.

The scope of its work is to:

- monitor the compliance of laws and other regulations in the RC related to the protection of the rights and interests of children
- monitor the implementation of laws and all other regulations in the RC that are related to respecting, promoting and protecting the best interest of the child
- monitor implementation of the obligations of the RC arising from the ratification of the UN Convention on the Rights of the Child and accompanied protocols and recommendations
• monitors both, on individual and general level violation the rights and interests of children
• advocates for the protection and promotion of the rights and interests of children with disabilities
• proposes measures to build a comprehensive system of protection and promotion of the rights and interests of children and to prevent harmful activities that endanger the rights and interests of children
• informs the public about the status of children

_Juvenile Courts Act_

The Juvenile Courts Act (OG 84/2011, 143/2012, 148/2013, 56/2015) regulates provisions for young offenders (juveniles and younger adults) in criminal law, provisions on courts, procedures and execution of sanctions and protection of child within the criminal law.

This act offers several sanctions for young offenders as follows:
• court reprimand,
• special obligations,
• intensified care and supervision,
• increased care and supervision with daily stay in a correctional institution,
• referral to a reformatory,
• referral to a correctional institution
• referral to a correctional institute,
• referral to a special correctional institution.

The purpose of these measures is to provide protection, care, help and supervision by providing general and vocational training in order to affect upbringing and development of minor offenders. This measure also aims to strengthen minor offenders in refraining from re-committing criminal offenses.
This Act obliges the juvenile court to monitor the implementation of the foreseen measures and sanctions but also to monitor their effects. This is monitored through reports and a field visit: depending on the sanction, the relevant institution (the correctional institution or the centre for social service) will deliver a report to the court every three months. Additionally, the judge and professional assistant have an obligation to visit the minor offender in correctional institutions/juvenile prison two times per year. Related to findings from reports and the field visit, the court can after six months, change the measure in accordance with achieved success of the minor offender. The juvenile court keeps the data in its database evidence, and reports to the relevant ministry and informs and includes other bodies if needed in order to protect the best interest of the child.

**Act on Protection from Domestic Violence**

The *Act on Protection from Domestic Violence* (OG 137/09, 14/10, 60/10) is a part of the misdemeanour legislation and regulates matters of family violence. Additionally, it outlines the various types and purposes of criminal sanctions that range from protective measures, to prison sentences, to fines, among others. This act stipulates that courts, law enforcement, police, health, social and other institutions will gather data and deliver them to relevant the ministry related to the protection of the family. In accordance with this law, there were developed implementing regulations related to various forms of violence - *Rules of Procedure in Cases of Child Abuse and Neglect*, *Rules of Procedure in Cases of Sexual Violence*, and *Rules of Procedure in Cases of Violence among Children and Youth*. These protocols have clear regulations on the obligations of institutions and professionals in cases of violence. The central places for providing support and protection to children are centres for social care. Of particular importance is that all institutions involved are obliged to handle cases promptly and to cooperate and provide feedback regarding the case proceedings.

**RULES OF PROCEDURE IN CASES OF CHILD ABUSE AND NEGLECT**

The Protocol incorporates the basic principles of the CRC:

1. The rights of the child to life, survival and development,
2. Non-discrimination,
3. Best interest of the child,
4. The right of a child to participate.
Related to the research question, it is most interesting to look into the Rules of Procedures in Cases of Child Abuse and Neglect. It is a regulation that clearly defines and enables different institutions not just to work side by side in emergency procedures to protect a child, but it also stated that ministries are obliged to monitor the situation and the movement of abuse and neglect of children and ensure the management of statistics.

*Regulations on the procedure of educational workers of school institutions in implementing the measures of protection of the rights of the pupils and reporting violations of those rights to relevant bodies*

This regulation prescribes the manner in which teachers, educators, professional associates and principals of primary and secondary schools and all other related school institutions are obliged to protect, promote and ensure respect for the rights of the child within school institutions. This is one of the first regulations in RC that assumes that a child who is acting violently against his peer may be a victim of violence in his or her family and gives recommendations to relevant bodies to make further inquiries into that child’s family. Furthermore, it provides for schools to implement pre-emptive programmes related to various forms of violence and implement other prevention programmes that will contribute to the health and safety of the child.

Finally, we need to point out the two cornerstones that make the framework for systematic and appropriate oversight of child protection services or, even better, oversight of the overall wellbeing of the children: the European Platform against Poverty and Social Exclusion and the already-mentioned National Strategy for Rights of the Child 2014-2020. The European Platform against Poverty and Social Exclusion is one of seven flagship initiatives of the Europe 2020 strategy for smart, sustainable and inclusive growth. Within this platform, a European framework for social and territorial cohesion² has been developed and there is stated: “*The headline target on poverty reduction will*
enhance political commitment and accountability, and will be a powerful driver for further developing social indicators”. This is a landmark along with the National Strategy for the Rights of the Children to undertake the comprehensive task of developing national child wellbeing indicators. However, it is a long way from being finished and from assuring institutional, technical, financial, human and other resources to implement that program.

4.2. INSTITUTIONAL FRAMEWORK

As the overall monitoring mechanism, two bodies with different mandates are set up, in order to monitor implementation of the Convention on the Rights of the Child. One is the Council for Children and another is the Ombudsman for Children. The Council for Children is an advisory body of the Government of the Republic of Croatia, established in 1998 and is powered by MDFYSP. This council gathers relevant key stakeholders and their task is to constantly monitor the achievement of the National strategy for rights of the child 2014-2020 and to help to coordinate the work of the state and other bodies in order to assure the implementation of planned measures and activities foreseen by the underlying national strategy along with CRC and others international acts and national regulations and programs relating to the protection and promotion of children’s rights. In recent years, this body was quite inactive, due to greater political disturbance (two national elections in one year) and also to strong political involvement into the Council that contributed to a lack of professionalism of the Council. Another important body is the Office of the Ombudsman for Children, which was established in 2003. Its mission is to protect, monitor and promote the rights and interests of children based on the RC Constitution, international treaties and laws.

³ http://www.mspm.hr/pristup-informacijama/statisticka-izvjesca-1765/1765
Beside these bodies, currently in Croatia there are several bodies that monitor the quality of child protection services and they vertically stretch from national to local levels. Here will be listed some of most relevant ones, but it is important to stress that almost all bodies, institutions and organisations monitor and report to various government bodies and to the public to some extent due to laws and regulations that define their scope of work.

Ministry of Demography of Family Youth and Social Policy (MDFYSP), as already mentioned, is in charge of the Social Welfare Act with all accompanied obligations and rights, such as granting Social Services Quality Standards, running inspections and an extensive database.³ Additionally, this Ministry also coordinates and monitors implementation and revision of the Family Act with assigned protocols along with the Council for Children, the National Strategy for the Rights of Children (2014-2020), and a process of development of indicators of child wellbeing.

Additionally, reports are available from the Ministry of Science and Education (MSE), the Ministry of Justice (MJ) and the Ministry of the Interior (MIA), the Ministry of Health and Croatian Institute of Public Health (CIoPH). Each of these state bodies has their own database and different units of analysis. For instance, MIA had extensive statistical reports where data about criminal offenses against the child can be tracked on a yearly basis, while from MJ database one can find data about the offender. However, there is no data to monitor what happened with the child that was a victim and neither one can track that particular child from statistical data available from MDFYSP.

The Croatian Bureau of Statistics (CBS) is the main producer, disseminator and coordinator of the Official Statistical System of the RC as well as the main representative of the national statistical system in front of European and international bodies in charge of statistical affairs. Databases that are run and powered by CBS range from the national

³ http://www.mspm.hr/pristup-informacijama/statisticka-izvjesca-1765/1765
UNICEF Office for Croatia

UNICEF for Croatia is one of the most important supporters of the development of child protection services and helps to facilitate prevention campaigns and research projects. UNICEF Croatia supported national efforts to strengthen child rights monitoring mechanisms and provided reliable and comparable disaggregated data on children. The platform lead by Marina Ajduković (University of Zagreb) and Marijana Šalinović (UNICEF) along with UNICEF consultant, Jonathan Bradshaw (University of York) formed in 2015 for the establishment of national child wellbeing indicators earned high levels of interest and professional commitment and had great potential to keep improving the data collection and utilization systems. MDFYSP recognized the document’s potential as an important policy tool for evidence-based charting of the status of children and for identifying key bottlenecks and barriers that undermine child rights realization. The action plan for further operationalisation and sustainability is scheduled to be developed in the future. UNICEF continuously supports and encourages the work of this platform, which involves experts from the National Office for Statistics, line ministries, academia and national human rights institutions in order to contribute to the development of a national child rights monitoring mechanism.

Nongovernmental organisations are also important, such as an umbrella network that gathers local and regional initiatives and organisations that are dealing with respecting and promoting the rights of children (e.g. Coordination of Associations for Children Croatia, Union of Societies Our children Croatia) or individual civil organisations that aim to protect children such as helpline Brave Phone, association Children First, or Parent’s Association “Step by Step”.

census and different branches of financial and economic branches; they also gather and disseminate data in the field regarding poverty, education, science, culture and social welfare, employment and wages, and that data can be used in order to monitor the wellbeing of children in Croatia.
Access to data was also enhanced in 2013 when the Act on the Right of Access to Information was enacted and then enhanced by stating the Information Commissioner as an independent body for the protection of the right to information.

On the county level, it is worth mentioning that Social Councils are established as integrative bodies that monitor and coordinate implementation and operationalization of *The Strategy for Combating Poverty and Social Exclusion in the Republic of Croatia (2014-2020)* through development and implementation of regional and local programs and policies to prevent and combat poverty. Additionally, on the county level there are civil and criminal courts, branches of CIfPH and family centres.

On the local level, there are
- centres for social services,
- educational and
- health institutions,
- police stations,
- civil and criminal courts,
- various nongovernmental organisations and initiatives.

It is important to stress that they all act within the scope of EU and abovementioned national regulations.

Many local units also have established Councils for Prevention that act as interagency bodies, gathering representatives from law enforcement, social welfare, court, educational institution, NGOs and other relevant stakeholder on local level, including decision makers from local government. This body can be particular useful in monitoring of quality of CPS on local level if they decide to have it as their agenda.

Finally, in order to monitor the quality of child protection services, a lot of data can be used and derived from international bodies and organisations such as: the Statistical Office of the European Communities (EUROSTAT), UNICEF Data, the World Health Organisation (WHO), the Fundamental Right Agency (FRA) and various studies such as the Balkan Epidemiological Study on Child Abuse & Neglect (BECAN) or the Health Behaviour in School Aged Children (HBSC).
4.3. ANALYSIS OF PRINCIPLES AND MECHANISM IN THE MONITORING MECHANISM OF CPS

4.3.1. Child centred approach

In order to assure a better description of the measurement system based on the presented framework of regulations and institutions along with the basis of those regulations such as CRC and the European Platform against Poverty and Social Exclusion in Table 1 are presented data collected from desk research and interviews from key stakeholders in the field of CPS and other child protection-related areas. It can be observed that RC has very good regulations, and that they are highly committed to best interests of the child.

Table 1. REVIEW OF RESPECTING PRINCIPLES RELATED TO THE CHILD CENTRED APPROACH WITHIN REGULATIONS FRAMEWORK THAT ARE DEFINING THE SCOPE OF CPS WORK

<table>
<thead>
<tr>
<th>Measure</th>
<th>Best interest determination</th>
<th>Do not harm</th>
<th>Equal access to services including for vulnerable children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Act (OG 103/15)</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>Protocol on measures to protect the rights of the child and its wellbeing</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>The Social Welfare Act</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>Law on the Ombudsman for Children</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>Juvenile Courts Act</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
</tbody>
</table>
4.3.2. Scope of the quality control

Children’s safety and wellbeing are of vital importance in any society, so there is heavy public pressure to improve child protection services. Thus, in RC there are arising initiatives in order to find new ways to assess an agency’s success in working with children and families. For instance, in 2012, the government of the Republic of Croatia enacted the Decision on Establishing the Council for Children. This Decision stipulates that the President of the Council for Children is:

<table>
<thead>
<tr>
<th></th>
<th>Best interest determination</th>
<th>Do not harm</th>
<th>Equal access to services including for vulnerable children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act on Protection from Domestic Violence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rules of Procedure in Cases of Child Abuse and Neglect</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rules of Procedure in Cases of Sexual Violence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rules of Procedure in Cases of Violence among Children and Youth</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations on the procedure of educational workers of school institutions in implementing the measures of protection of the rights of the pupils and reporting violations of those rights to relevant bodies</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**4.3.2. Scope of the quality control**

Children’s safety and wellbeing are of vital importance in any society, so there is heavy public pressure to improve child protection services. Thus, in RC there are arising initiatives in order to find new ways to assess an agency’s success in working with children and families. For instance, in 2012, the government of the Republic of Croatia enacted the Decision on Establishing the Council for Children. This Decision stipulates that the President of the Council for Children is:
• Deputy of the Prime Minister of the Government of the Republic of Croatia (GRC); and that members are representatives of state administration bodies and offices of the GRC:
  • a representative of the MDFYSP, MH, the Ministry of Culture (MC), the MIA, the Ministry of Foreign Affairs and European Affairs (MFAEA), MSE, MJ, the Ministry of Labor and Pension System (MLPS) and a representative of the Office for Human Rights and Rights of National Minorities (OHRRNM).

Also, there are representatives of scientific and professional institutions and other bodies and institutions, namely:
• representative of the State Attorney’s Office of the Republic of Croatia (SAORC)
• representative of the Agency for Education (AE)
• representative of the Faculty of Law, University of Zagreb - Study Center of Social Work
• representative of the Faculty of Education and Rehabilitation of the University of Zagreb (ERF)
• representative of the Faculty of Philosophy of the University of Zagreb, Department of Psychology or the Department of Pedagogy
• two representatives of health institutions for children
• two representatives of social welfare institutions in the field of protection and promotion of children's rights
• three representatives of associations in the field of protection and promotion of children's rights
• representative of the Croatian Journalists' Association (CJA) dealing with the area of protection and promotion of children's rights
• representative of the National Council of Students
• representative of children.

This Council, among others, is tasked to follow the application of existing regulations that are referring to children and to propose to the Government measures to improve the work of bodies that have duties in the area of child protection and children's exercise of their rights.

Another body that could be quality monitor agent is the Ombudsman for Children. However, the Croatian Parliament voted in June 2016 not to accept the Annual Report of the Ombudsperson for Children. This move caused ruination to the independence of the institution and it is a reflection on the growing politicisation of issues of child
and family rights. Following this rejection of the Annual Report, the Government and MDFYS
P, decided in 2017 to pass a new law for the Ombudsman for Children that holds a provision under which the Ombudsman can be dismissed from office if parliament rejects the Ombudsman’s annual report. Moreover, proposition of this law demanded for the election of a new Ombudsman, even though the current Ombudsman Ms. Ivana Milas Klarić’s mandate is set to expire in 2022.⁴ Many organisations, experts, and citizens opposed proposition of this law during public consultations; however, the Croatian Parliament passed that law. Currently, Croatia is in process of electing a new Ombudsman and only a few candidates applied due to the undermining of independence of this body and constant threat of political influence and possible dismissal in case of opposing the government.

On the county level, there are the already-mentioned bodies such as the Council for Social Care, while on the local level there are various bodies that have the mission to enhance an integrated approach regarding child protection activities and, thus, monitoring of outputs and outcomes of those activities. However, there still exists a rather traditional system of quality assurance where, for instance, ministries, agencies and various institutions are more focused on auditing case records to monitor and report on the extent of compliance with legal requirements rather than on defining child welfare outcomes and monitoring them through an integrative approach.

⁴ https://www.coe.int/az/web/commissioner/-/croatian-government-should-reconsider-the-draft-law-on-the-ombudsman-for-children
“Croatia is a country that has a young democracy. It is hard to expect a coherent and transparent system overnight. That is a process that needs to be learned”.

“We should track outcomes, tracking outcomes is something we should do, we’re now giving a scholarship for students with low income for years. And how successful is that measure, we don’t know… and we don’t know in what way we should modify this measure, adjust it, expand it and so on...”.

“There is a variety of interagency bodies, depending on the issues, but they are not fully empowered nor do they have mechanisms to deliver, monitor and exchange information timely... inter-agency cooperation, this is one of the weakest things”.

“We have repeatedly asked what is happening with the Council for Children, but we have not received any information... now there is some kind of initiative from the Ministry to develop factors for assessing the wellbeing of the child, which would be really worthy...”.

Participants of qualitative study:

4.3.3. Role of civil society and media in monitoring

The nongovernmental sector in Croatia is highly developed and the number of local and national organisations is relatively large. The organisations cover all areas of child protection including legislation.⁵ In

---

“...at a symbolic formal level NGOs were receiving credibility due to the accession process to the European Union. This was one of the indicators of democratisation. However, this was a symbolic and formal level that is still very much present. There is an initiative of the state, in fact, a decision maker to involve civil society organisations in order to fulfil the form of participation. However, the potential impact of civil society organisations is extremely small, I would say that it does not exist...”.

“The current situation began in 2016 when power and political setups had come to an end, a trend began to look at who the patriotic association was and who should receive financial support from the state. The campaign went so far that money launderers and in fact did not produce any social value. The attack was most on human rights organisations”

2011, there were 44,915 registered non-profit organisations, mostly nongovernmental organisations in Croatia. Regarding quality control of organisations of civil society, in Croatia the main bodies are: the Office for the Cooperation with NGOs of the Government of the Republic of Croatia, which aims to perform expert work in the domain of the Croatian Government with regards to creating conditions for cooperation and partnership with the nongovernmental, non-profit sector, especially with associations in the Republic of Croatia; and the National Foundation for Civil Society Development, who is leading public institutions for the cooperation, linking and financing of civil society organisations in Croatia.

These two bodies were great contributors to development of OCDs in Croatia, however their impact and influence has been diminished since 2015 by conservatives winning elections, since their funds were cut and they were politically pressured in order to replace administration within those two institutions. This all contributed to the creation of an environment that is not suitable for democratisation and the pursuit of a human rights agenda for civil society organisation.
Additionally, OCDs that are providers of social services are also obligated to introduce Quality Standards and submit them to the Ministry of Demography, Family, Youth and Social Policy. This Ministry also publishes lot of calls for funds for OCDs in various fields of social services which can contribute to lowering the quality of independence and advocacy agendas of NGOs.

Regarding the media,⁶ the protection of the right to information is recognised in the Constitution and national laws. Restrictions on grounds of privacy are defined in accordance with international standards. Appeal mechanisms for denial of access are in place although they are not entirely effective. Some violations on information access occur, particularly with regard to local and regional government, trade associations, and legal entities with public authority. Regarding quality of CPS and media, there is a kind of monitoring body – the Council for Electronic Media, but it only deals with electronic media, and another, Croatian Journalist Society, who is more oriented to cover the dignity of the journalist.

Media in Croatia are covered within several acts, such as:
• Media Act (OG 59/04, OG 84/11, OG 81/13)
• The Electronic Media Act (OG 153/09, 84/11, 94/13, 136/13)
Law on Croatian Radio and Television (OG 137/10, NN 76/12, OG 46/17, 73/17 - Correction)

As a media powered by the government we are obliged to send an annual report about our work to the government. Thereafter no feedback information is available to me.

• Law on the Croatian News Agency (OG 96/01)

Participants of the qualitative research all recognised the value of the media in monitoring the quality of CPS, and on several occasions mentioned that due to media coverage of the theme, there was a step forward. Many of them mentioned a recent event of evident violation of human rights. In Croatia, parents that are caretakers to a children with complex developmental difficulties have a right on money compensation from the State (the Act of Social Welfare). What happened was that a child with difficulties died and the state immediately terminated the funds that were supposed to be payed to the mother as she was the caretaker. In media and public this was experienced as cruel and harsh and the same day, the media and OCDs started with huge public pressure on the Ministry to change the legislation and to allow the parents that are mourning to prolong the right for money compensation. Participants also recognised the importance and the strength of the social networks. However, media can equally be a source of problems due to the search for sensationalism to increase profits. Public television and radio have an Ethical Code that regulates sensationalism regarding the rights of a child, and they do strive to assure child age appropriate programs. However, it is very common to overrun the rights of the child and his or her privacy due to money struggles for various journals and mass media.

4.3.4. Special measures to monitor institutional care

As mentioned earlier, the Social Welfare Act (OG 157/13, 152/14, 99/15, 52/16, 16/17) established the obligation of providing services in accordance with the Social Services Quality Standards. This is meant to increase the quality of services, with an emphasis on preventing institutionalisation, increasing focus on the

The reform of the social welfare system is an ongoing process since 2001. Every government that came stopped it, overrun efforts of the former government, then during the third year of mandate would start something new and then during the fourth year would be more oriented to upcoming elections than on reform of social welfare system. Conceptually, the Centre for Social Services should have case management where a social worker or expert is in charge for a beneficiary that is appointed to him and then organise all resources on the local level to assure respecting of rights of the child.
holistic needs of beneficiaries and providing social service provision within children’s areas of residency. The Social Welfare Act only prescribed the obligation that centres for social welfare create an individual care plan based on an assessment of needs and outcomes for beneficiaries. In principle this means that children and parents participate equally in decision-making and are kept informed about their rights. This is also a key monitoring tool to track protection and respecting rights of the child placed in alternative care. The provision of child care in ‘family homes’ was only enabled in 2007 by the Social Welfare and the Foster Care Act (OG 90/11, 78/12), which limited the maximum number of children in foster families to three. Foster families that care for a larger number of children are now registered as a ‘family homes’, a non-institutional type of care that allows placement of four to ten children. The Social Welfare Act does not prohibit the placement of children under seven years old in institutional care, but it does stress that this can only be done in rare occasions. It also has a broad definition of the circumstances under which children can be removed from their families, which includes the possibility to place children in alternative care due to family poverty, contrary to a fundamental principle of the UN Guidelines for the Alternative Care of Children. The National Plan of Deinstitutionalization and Transformation of Social Welfare Institutions 2010–2016 has been prolonged to 2018. The plan targets for reducing the proportion of children in institutional care in favour of family-based care (foster care). The gradual development of a regulatory framework for foster care over the last few years has begun to improve levels of care, but the system still lacks the capacity to ensure appropriate conditions and quality care for children, especially due to a lack of foster care families or work with families in order to prevent separating a child from his or her family. Additionally, as a special monitoring mechanism within alternative care, there is an already-mentioned department in charge of inspection. Inspection supervision is implemented over professional work of a social welfare home, community service centres, centres for help in the house and other legal

SOCIAL SERVICES QUALITY STANDARDS
The Standards define the complaints and appeals procedures, including the obligation of providers to respond to complaints. They also provide procedures for preventing abuse and exploitation, and ensuring children's rights.
entities or persons performing social welfare activities in accordance with this Act and a special regulation, while Foster families have supervision from local social centres. Based on findings of supervision, these providers of social services need to improve their care for a child, or they will lose their right to provide social services. Furthermore, if the inspector has reason to suspect that a breach of a regulation has been committed as a misdemeanour or a criminal offense, with regard to a decision for which he or she has been authorised, the inspector is obliged to file an indictment with the established facts for the taking of measures to initiate a misdemeanour or a criminal indictment.

4.3.5. Overview of monitoring mechanisms in Croatia

Table 2: OVERVIEW OF THE MONITORING MECHANISM OF CPS QUALITY OF PROTECTION OF THE RIGHTS OF THE CHILD THROUGH LEGAL FRAMEWORKS AND INSTITUTIONAL MECHANISMS, INDICATORS, ROLES AND RESPONSIBILITIES ALONG WITH FEEDBACK TO SERVICE USERS.

<table>
<thead>
<tr>
<th>REGULATION</th>
<th>MODE OF DATA COLLECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Strategy for the Rights of Children in the Republic of Croatia for the period from 2014 to 2020.</td>
<td>Collecting data in the form of a paper report from various stakeholders on local, regional and national level</td>
</tr>
<tr>
<td>Family Act (OG 103/15) &amp; Protocol on measures to protect the rights of the child and his or her wellbeing</td>
<td>Collecting data from centres for social service</td>
</tr>
</tbody>
</table>
### Standard/Indicators

3 levels of indicators:
- structural - process - outcome

Most often are collected data such as: number of held workshops, participants and other data that are in line with process and structural indicators. Outcome indicators are yet to be developed along with methodology of gathering data and using child/family as measuring unit.

The protocol regulates procedures and gives a step-by-step guide for CPS experts in social service centre how to proceed in cases of evaluation of child wellbeing. This contributes to standardisation of proceedings of CPS experts and contains several criteria for CPS team to estimate the level of the threat of the child wellbeing.

### Working Mechanism

Various stakeholders, such as county and local governments, along with nongovernmental organisations and other relevant institutions fill Action plan for implementation of the Strategy and email it back to MDFYSP. That produces a giant Action plan that is user unfriendly and doesn't contribute to quality data analysis or CPS quality monitoring.

Plan that contains data about child and family, goals, length, areas and scope of work with parents, along with methods of monitoring and evaluation is then developed by social service team and head of the measure of supervision or intensive supervision of the parents.

### Roles and Responsibilities

Ministry of Demography, Family, Youth and Social Policy
Council for Children*
* needs to be constituted

Centre for social service, head of the supervision or intensive supervision of parents
Court
Other relevant experts (health, police, NGO, etc.)
### MECHANISMS TO PROVIDE FEEDBACK TO SERVICE USERS

Among others it is planned to have a representative of the National Council of Students and a representative of the children as members of Council for Children.

Age appropriate information's are provided to a child and his/her opinion is taken into account during development and monitoring of the Plan. Parents are informed about whole procedure, their rights and obligations and revisions of the Plan and measures of protection of child wellbeing.

### REGULATION

Social Welfare Act, SWA (OG 157/13, 152/14, 99/15, 52/16, 16/17)

### MODE OF DATA COLLECTION

Collecting data from local centres for social service, including data from community social service providers, such as family homes, foster care families, and other service providers.

### STANDARD/INDICATORS

Individual plan

Data collections and social services information (Article 204 of SWA) includes various personal, family and household data, status (information on schooling, employment, retirement, etc.), education, health and disabilities, salaries and other income information, data on assets, data on social problems and difficulties of individuals, families and groups of population and release data on payment of services.
### Working Mechanism

- Individual plan is developed and monitored with final beneficiary and other relevant stakeholders but it is not reported to any analytic body in order to monitor the quality of CPS. Through administrative and inspection supervision based on methodology of individual plan it can be observed quality of CPS for particular child. However, data on more general level are not available.

### Roles and Responsibilities

- Ministry of Demography, Family, Youth and Social Policy
- On local level: Centres for social service and other relevant community providers of social services

- Ministry of Demography, Family, Youth and Social Policy
  that is available at [http://www.mspm.hr/pristup-informacijama/statisticka-izvjesca-1765/1765](http://www.mspm.hr/pristup-informacijama/statisticka-izvjesca-1765/1765)

### Mechanisms to Provide Feedback to Service Users

- Final beneficiary is included into development, evaluation and revision of Individual Plan

- The Ministry provides information exchange with other users in accordance with the provisions of the Personal Data Protection Act and other regulations

### Regulation

- Rules on Quality Standards for Social Services, OG 143/2014

- The Act on the Ombudsman for Children (OG 73/2017)
<table>
<thead>
<tr>
<th><strong>MODE OF DATA COLLECTION</strong></th>
<th>Individual or institutional reports of violation of rights and interest of the children; inspection of alternative care and restitution institutions and juvenile prisons; Monitoring and advocacy activities of Ombudsman Council of Youths; UN recommendations regarding period reports on respecting CRC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARD/INDICATORS</strong></td>
<td>Social Services Quality Standards (SSQS) has 17 standards. Self-assessment instrument used within this process of achieving SSQS represents a tool that actively supports the development of the practice of continuous improvement of service quality and implies a comprehensive, systematic and regular critical review of the performance of its own work in relation to standards or quality indicators</td>
</tr>
<tr>
<td></td>
<td>Standards and indicators are based on CRC and accompanied Rules, Reports and Recommendations along with EU and Croatian framework that deals with rights and best interest of the child.</td>
</tr>
</tbody>
</table>
Description of the Measurement System

<table>
<thead>
<tr>
<th>ROLES AND RESPONSIBILITIES</th>
<th>MDFYSP</th>
<th>Ombudsman for Children, various institutions, UNICEF, financial sector, media, NGO,</th>
</tr>
</thead>
<tbody>
<tr>
<td>MECHANISMS TO PROVIDE FEEDBACK TO SERVICE USERS</td>
<td>One of standard of quality is: Transparency and another is Complaints and Appeals in order to assure feedback to final beneficiaries</td>
<td>Each year, the Ombudsman office for children publishes a Report that contains a statistical overview on reports of violations of rights and interest of the children, findings of inspections, monitoring activities and recommendations to improve quality of protection of child wellbeing. Also, the Ombudsman continuously, communicated to and with children, personally, through public activities on media</td>
</tr>
<tr>
<td>REGULATION</td>
<td>The Juvenile Courts Act (OG 84/2011, 143/2012, 148/2013, 56/2015)</td>
<td>Act on Protection from Domestic Violence (OG 137/09, 14/10, 60/10)</td>
</tr>
<tr>
<td>MODE OF DATA COLLECTION</td>
<td>This Act binds juvenile court to monitor the implementation of the foreseen restitution measures and sanction but also to monitor effects of measures</td>
<td>This Act bans corporal punishment, but also any kind of violence, including economic, verbal, psychical and emotional violence</td>
</tr>
</tbody>
</table>
### STANDARD/INDICATORS

Measures are imposed to provide protection, care, help and supervision by providing general and vocational training in order to affect upbringing and development of minor offenders. Those measures also aim to strengthen minor offenders in refraining from re-committing criminal offenses.

### WORKING MECHANISM

Effects of measures is monitored through reports and field visit: Depending on sanction, the relevant institution will deliver report to the court every 3 months. Also, the judge and professional assistant have an obligation to visit the minor offender in the correctional institutions/juvenile prison two times per year.

Rules of Procedure in Cases of Child Abuse and Neglect: clear regulations and step-by-step obligations of institutions and professionals in cases of all forms of violence against children.

Standards and indicators are based on CRC and accompanied Rules, Reports and Recommendations along with EU and Croatian framework that deals with rights and best interest of the child.
### ROLES AND RESPONSIBILITIES

| Juvenile courts, Ministry of Justice Centres for Social Services |
| The central places for providing support and protection to children are social care centres. This act defines that courts, law enforcement, police, health, social and other institutions will gather data and deliver them to relevant ministry related to protection of the family. |

### MECHANISMS TO PROVIDE FEEDBACK TO SERVICE USERS

| Related to findings from reports and field visit, court can after 6 months, change the measure in accordance with achieved success of minor offender. Juvenile court keeps data in its database evidence, and reports to relevant ministry and informs and includes other bodies if needed in order to protect the best interest of the child. All the information is communicated with parents and youth persons as well during the whole process. |
| The child is informed about the process of report of violation of his or her rights but also, is informed about court proceedings and his or her rights by special caregiver that is appointed to him or her by centre for social service in proceedings of violations of child wellbeing |
4.3.6. Gaps in the regulatory framework

The Republic of Croatia has a good policy framework, but as stated by several participants of qualitative research within this study, implementation of this policy has its challenges and there is room for improvement in this area. However, there are several mechanisms that are described in more detail in previous chapters, such as:

- Individual plan for beneficiaries of social service
- Social Services Quality Standards
- Protocol on measures to protect the rights of the child and his or her wellbeing

Additionally, it is promising that there have been some actions related to defining indicators of child wellbeing that were planned by the National Strategy for the Rights of the Child (2014-2020), where relevant statistical or other "markers" can be operationalised to assess and monitor the situation, needs and context of development and policy implementation onto all children in Croatia, and not just some part of children population, in most cases vulnerable groups of children. It also, should be stressed that Croatia is not particularly specific in its efforts to develop indicators of child welfare. For example in the European Platform against Poverty and Social Exclusion (2013) it is stated only that it is necessary to have clearly defined indicators of welfare and deprivation of children. In a significant document Investing in children: Breaking the cycle of disadvantage (EC, 2013) states that deprivation indicators of children are still in the development phase.

It is planned by MDFYSP to again re-establish the Council for Children whose task is to monitor the implementation of the Convention, and to monitor the implementation of child regulations, discuss draft laws, etc. Currently, the Children's Council has not been very active lately, and it is questionable how much it is contributing to the monitoring of the implementation of children's rights and monitoring the implementation of the Strategy in present.

Furthermore, the Council will have a children's representative who is involved in the work of the Children's Council. There is good practice of the young counsellors of the
Ombudsperson for Children that have an active role in the work of the Ombudsperson's Office, and at the local level, children's councils work. Those children's councils are established by nongovernmental organisations: the Union of Societies “Our children” that is an umbrella organisation of local branches throughout Croatia is an example of good practice of child participation. A hindering element is that in Croatia, a lot of institutions and services are still very centralised. This contributes to a lack of social and local innovations and changes.
Furthermore, there is still a traditional approach of governance which is more vertical than participatory and horizontal. CPS institutions and thus social welfare institutions are perceived in the public as a system of repression, not a system of prevention for various reasons. Participants of the qualitative research recognised the lack of an overall systematic approach, especially regarding families and children at risk and that contribute to lower efficiency of CPS, including the small number of social workers and experts in the CPS system.

We don’t have enough people in social welfare centres, they are overloaded and they do not have the necessary professional help to function as people, so that their heads are clear. Our way of thinking is out of date, there are a lot of examples where people went abroad and saw good practices in London or Berlin or somewhere else, but it is somehow that we are afraid of change….

It is also noted that various agencies, institutions and organisations work without integration and collaboration and that contributes to lower efficiency and fragmentation of the protection and support to children and families along with lack of monitoring of impact of existing measures such as Individual Plan and measures foreseen by Protocol on measures to protect the rights of the child and his or her wellbeing on some more comprehensive and more analytical level. There are also some initiatives that go directly to the protection of children's rights
such is inclusive education etc., but are not turned into a system because there is no clear political readiness for it and that undermines sustainability. Moreover, as stated by participants of the research, each new government that changes or passes a new law is also a hindering element for continuous monitoring and impact evaluation of CPS quality mechanisms.

“...tracking violations and children's rights, and otherwise human rights is one of the weakest points of our system in general”

“Well, the state does not track impact. The state has an obligation to run a public consultation for a month and then adopts a public consultation within 15 days. And there is no clear mechanism of what will happen if they do not comply with the law”

“There are mechanisms, but they do not work because in fact children are not the political value of this society. Yes, they are, onto symbolic and verbal level, but in essence, they are not.

In our society there is no culture of tracking and development of policies on evidence-based data. I think it's okay to say that there is a need to develop a culture of monitoring and evaluation and mindset.
5. ASSESSMENT OF THE SYSTEM

The National Strategy for the Rights of the Child in Croatia for the Period of 2014-2020 states that the key (strategical) problems and challenges in child protection and the promotion of their rights are the following:

• There is no system for monitoring the distribution of finances or the yearly assessment of finances spent for the fulfilment of needs and the rights of children by the delegated ministry.
• The “vertical and horizontal” coordination of the implementation of legislation, protocols and national strategic documents for the children protection and rights fulfilment is inefficient.
• The availability of services for children and families in the different parts of Croatia guaranteed by the law or strategic documents is unequal.
• There is a lack of reliable information and operationalised indicators for children’s wellbeing and life quality.
• The quality of prevention programs, legally guaranteed programs and strategically foreseen services and programs is unequal or unknown.
• The approach to the continuous education of child protection workers is traditional and the evaluation of programs is based on the content of the programs and participants’ satisfaction. There is a lack of an evaluation system based on the outcome competencies, i.e. the concrete knowledge and skills that the experts will be able to implement with children and families in their immediate surroundings.
• Awareness of key children’s rights issues must be increased, including awareness of the role of children in society and awareness that society must prioritise the rights of children relative to the rights of adults.

Present and available data from governmental bodies and public institutions are not often up to date, and what’s more important is that they are not used in order to monitor the quality of protection of the child. This can be observed from various relevant findings⁷.

“During data collection for our analysis, it was noted that statistical data and reports from relevant authorities are often not updated and/or systematically presented. In Croatia, there are a number of institutions and bodies that deal with children’s rights at different levels and, although remarkable results have been achieved, their coordination, in terms of information sharing and transparency of action, is questionable”.

Moreover, the problem of insufficient indicators of child wellbeing is more and more recognised within Croatian CPS experts. Ajduković, Ogresta and Rimac (2012)⁸ conclude that:

• There have been no clear and concrete indicators of child welfare in Croatia so far as strategic outcomes of the implementation of the Convention on the Rights of the Child.
• There is a lack of a modern and reliable system for collecting and monitoring statistical data targeted and "sensitive" to the child.
• Data on children within the individual systems do not have a child focus, but some appearance or activity of a particular system as such (e.g. when it comes to violence against children, the proceedings are primarily focused on perpetrators, and data on children victims aren't systematically monitored).
• Existing databases do not allow their connection within their own system, let alone to allow integrative analysis, (which for instance would be, comparison of data from different ministries) which would enable more complex monitoring of different occurrences.
• A particular child often is not a unit of statistical analysis. More often they are in use summary data and they can't be separated later for simpler analyses or to check the correlation of some needs or experiences of children with (e.g. socio-demographic family data).

The problem is that we don’t learn from our own mistakes and sooner or later we find ourselves again in the same place.

Both of the above mentioned bodies (Council for Children and Ombudsman for Children) were recognised as important monitoring agents by the UN Committee in their concluding observations 2014 on the combined third and fourth periodic reports of Croatia. However, in the same report regarding monitoring mechanisms of implementation of the protection of the child the UN Committee stated that:

- Effective monitoring, evaluation and accountability mechanisms are missing;
- Systematic monitoring, reporting and evaluation of their impact on the lives of children and effectiveness is lacking; Quality data collection system is not in place;
- Inadequate monitoring and evaluation of supervision measures of parenting care is in place along with inadequate monitoring and supervision of institutional care and foster parents.

So the Committee listed recommendations for RC to:

- establish effective monitoring, evaluation and accountability mechanisms and provide detailed information on the evaluation of implementation of its laws and regulations in the area of children’s rights in its next report;
- gather data and indicators that can be shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;
- establish monitoring and evaluation system and to provide adequate training for all persons responsible for its implementation;
- establish a clear framework for supervision measures, including control and evaluation measures, criteria for the selection of supervisors, as well as effective appeal mechanisms;
- to monitor the quality of foster care, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children.
6. DESCRIPTION OF IDENTIFIED PROMISING PRACTICE

In Table 3, 3 cases of promising practice that were recognised during desk analysis and interviews with participants are presented.

<table>
<thead>
<tr>
<th>Aspect of the quality mechanism it is about</th>
<th>The main purpose of introducing child wellbeing indicators is to monitor and ensure the quality of life for children in Croatia</th>
</tr>
</thead>
<tbody>
<tr>
<td>How they work</td>
<td>The indicators monitor children’s wellbeing according to these parameters: - health - education - family relationships - subjective and psychological wellbeing - material wellbeing and poverty - peer relationships and risky behaviours - participation - child safety - vulnerable groups of children/ children in vulnerable situations.</td>
</tr>
<tr>
<td></td>
<td>The ‘Child Friendly City’ Programme takes into account every aspect of a child’s life in local society, and aims to establish a holistic approach to child welfare running through the whole community – thus creating a safe and supportive environment for children. As such, the Croatian programme is developed with 123 relevant criteria in mind, from 10 key areas: - Child welfare programmes and policies, - Government funding for children, - Child support and services, - Urban health and safety fit for children, - Children's health, - Children's upbringing and education, - Social care for children, - Culture and sport for children, - Free time and recreation, - Parental support services.</td>
</tr>
</tbody>
</table>

Table 3. REVIEW OF IDENTIFIED PROMISING PRACTICES
<table>
<thead>
<tr>
<th>Practice</th>
<th>Child wellbeing indicators, MDFYSP and UNICEF Croatia</th>
<th>The Child Friendly City, Union of Societies ‘Our Children’ Croatia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Results</td>
<td>establishing child wellbeing indicators was slowed due to political instability during 2016, however it is foreseen to continue for further strengthening child rights monitoring mechanisms and data collection methodologies</td>
<td>There are currently around 100 participating cities and municipalities, of which the following 44 have earned the prestigious title of “Child Friendly”. Any local authority in Croatia can opt into the initiative;</td>
</tr>
<tr>
<td>Why they are promising practice</td>
<td>By introducing child wellbeing indicators, Croatia joins the leading countries in the world that aim to establish wellbeing of their youngest members of society at the top of their priority list</td>
<td>This way child rights protection is assured for all children, and in his or her community. Currently, methodology of criteria is being upgraded thus will assure even better level of child right protection. Moreover, besides Child Friendly Cities and Districts, they plan to involve and Counties.</td>
</tr>
</tbody>
</table>
## Description of identified promising practice

<table>
<thead>
<tr>
<th>Practice</th>
<th>Organisations that cares, Parents' Association Step by Step, Croatia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspect of the quality mechanism it is about</td>
<td>Development of comprehensive and participative local policies for children and establishing good governance regarding rights of the child</td>
</tr>
<tr>
<td>How they work</td>
<td>Through a series of public consultations and child need assessment that is done in a child friendly way through social media and voting boxes all over the city, children are involved in the development of local policy regarding their needs and rights. The whole process is supported by an interagency body on local level – Council for Prevention and city mayor thus assuring political support for implementation of policy. Moreover, the policy is in accordance with National strategy for rights of the child 2014-2020 and beside that it has for every foreseen measure – indicators of success, so it can be monitored impact of those local policies.</td>
</tr>
<tr>
<td>Results</td>
<td>To quote one child from this project: “This was a great action, cause, always just adults are asked for their opinion and now, finally, somebody asked us”. Moreover, out of evaluation of public consultations, citizens stated that they had feeling that out of this overall participative process real quality was assured for youngest citizen's through local policies in the following 4 years. Also, both CSOs and representatives from CfP assessed that now they are more willing to cooperate than before the action.</td>
</tr>
<tr>
<td>Why they are promising practice</td>
<td>So far, 3 cities developed this form of local policy – Vukovar, Belišće and Sv. Ivan Zelina, and Sv. Ivan Zelina gained a prize from the Association of Cities as City of Citizens due to implementing this kind of overall participative process of developing public policy.</td>
</tr>
</tbody>
</table>
7. RECOMMENDATIONS FOR IMPROVEMENT

As a general conclusion in assessment of the monitoring system we can state that there are some good mechanisms put in place, and that the development of indicators of the child wellbeing foreseen by the National Strategy for the Rights of the Child (2014-2020) is a promising step.

Interviewed participants stated that tracking violations and children's rights, and otherwise human rights along with interagency cooperation in reviewing existing data are some of the weakest points of our system in general. Currently in monitoring quality of CPS in Croatia, there is fragmentation (each law has its own monitoring agenda, indicators and work mechanisms) and there is a lack of overview or reflection on some interagency level. Participants reported a lack of political will to develop comprehensive policies that deal with children's issues and challenges, or, to be precise, there is still missing strategic documents regarding family in Croatia, along with a policy that clearly states and integrates data from various ministries, agencies, institutions and organisations, that is more child than content and service oriented. Some participants stated that most of decision makers do not have the best interest of the child in focus as they do not have political value in this society.

Bodies that are intended to monitor and link various stakeholders, such as the Council for children and Ombudsman for Children, lack political support and recognition to act as independent advocates for rights of the child. Moreover, it is highly concerning that there was a ruin of independency of the Ombudsman for Children by not accepting the annual report and passing new law that allows a shift of the Ombudsman that still has valid mandate. Participants also recognised a lack of support to organisations that deals with human rights and the ruin of NGOs as key element of democratisation of society. Media has an ambivalent role. On the one hand, they are partners in monitoring children's rights, but due to sensationalism, they can also be the first to cause violation of children's rights. Due to that, several participants stated that by sending reports and information about the work in promotional and protection of child rights, there was never feedback or some kind of case reviewing in order to enhance the system
and proceedings. Additionally, participants stated that there are no sanctions if the national administration breaks their legal obligations such as shorter public consultation with the public or not giving feedbacks on delivered reports.

Also, participants, recognize the lack of human, technical and institutional resources and specialisation and trainings of people to better cooperate in implementation and evaluation of taken measures. Moreover, governing is still very vertical and local social centres do not have enough power or resources to run case management.

Participants of the research recognised that an ideal system doesn't exist, however they do stress that monitoring systems should rely on more quality, reliable and disaggregated data, with clear measuring proceedings, such as: situation, implementation, performance, impact. They also state that there should be better defined roles and responsibilities, adequate human and material resources, be participatory (participation of children and parents/guardians), participation of vulnerable groups and it should be multidisciplinary. Also, they recommend it should include an independent evaluation of the impact of policies and measures with clear recommendations for further improvement as a scope of system quality monitoring.

We can conclude that Croatia is a young democracy and that we still have a long way to go, especially in adopting principles of good governance and a culture of evaluation and monitoring. However, there are several mechanisms that are promising, along with initiatives for development of comprehensive indicators of child wellbeing.
8. ANNEX

Committee on the Rights of the Child Concluding observations on the combined third and fourth periodic reports of Croatia

Rules on Quality Standards for Social Services, OG 143/2014 and Guidelines for the implementation of quality standards of social services
https://narodne-novine.nn.hr/clanci/sluzbeni/2014_12_143_2693.html

UNICEF
http://www.unicef.hr/en/vijest/croatia-introduces-child-wellbeing-indicators

Towns and districts – Friends of children

Organisations that care
http://www.udrugaroditeljakpk.hr/provedeni-projekti/organisacije-koje-brinu