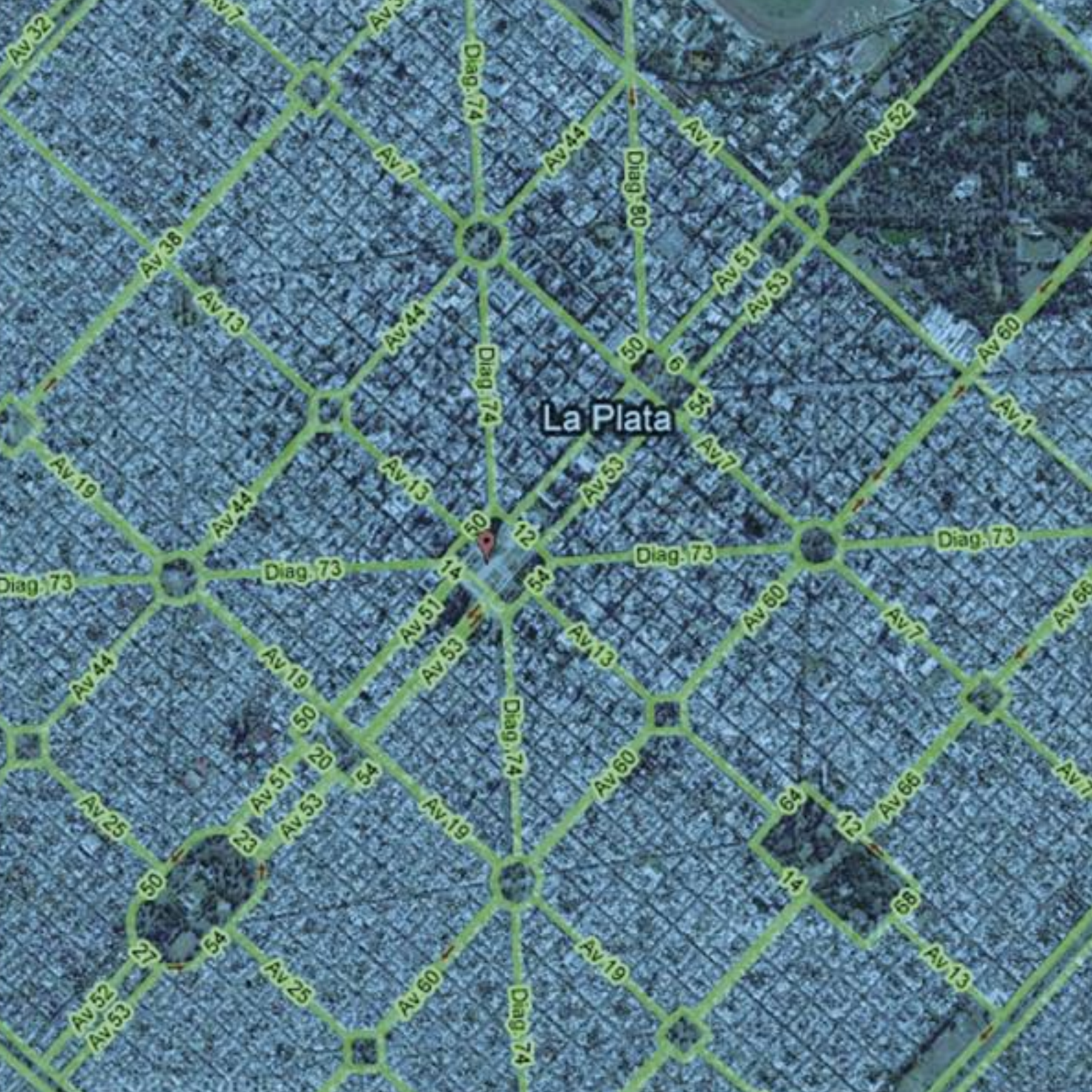




# Support System for Protected Adolescents

La Plata, Buenos Aires  
(Argentina)





La Plata





# Support System for Protected Adolescents

La Plata, Buenos Aires  
(Argentina)

Second Place  
Social Innovation Contest in  
Latin America and the Caribbean

Project designed and implemented by:  
Procuración General de la Provincia  
de Buenos Aires

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The pictures used in this publication show ado-  
lescents in different environments and do not  
intend to associate them to the project.

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# Introduction

**The deprivation of liberty means any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority.<sup>1</sup> According to this definition, millions of children and adolescents worldwide live outside their families in residential or penal institutions, deprived of liberty.**

In Latin America and the Caribbean the number of institutionalized children varies greatly among countries. In Argentina, for example, official data states that about 8,601 children in protection institutions and another 1,822 in penal institutions. In Chile, the numbers are 11,593 and 927 respectively, while in Mexico penal cases (4,427) exceed cases of protection (3,975).<sup>2</sup>

The violations of children and adolescents' rights in these centers are extensively documented: insufficient access to education, health and psychological care, violent treatment by inmates or the centers' authorities, and a lack of opportunities for rehabilitation and reintegration are among the most frequently mentioned.

Furthermore, traditional institutions have fewer possibilities to actively support the physical and cognitive development of children, to respond to their needs for social and emotional stimulation, and, most importantly, to teach them how to assume responsibility for an independent life within the larger society. Their dependence on collective procedures and routines leaves little room for individual attention, care and development of the child's unique character, and makes it difficult to take into account his or her individual perceptions, his or her subjectivity. This is true for residential homes and even more so for penal institutions. Their limitations complicate social integration once young people leave these institutions and may make them more likely to get involved in delinquent activities, fostering a vicious cycle of exclusion.

The institutionalization of children and adolescents is thus a costly form of care or protection, not only in economic, but also in social terms. It also fails to consider children and adolescents' right to self-determination and freedom.

The United Nations Convention on the Rights of the Child has led to a shift of perspective, putting children and adolescents' human rights and their citizenship status at the center of the debate, acknowledging them as subjects of their own right rather than objects of family or state protection. In general, institutionalization has lost ground vis-à-vis more universal approaches that ensure the opportunities and rights of children

within "normal" models of upbringing, such as being active participants in a family, school and community development.

Nevertheless, deprivation of liberty through institutionalization is still a wide-spread practice of social exclusion in Latin America and the Caribbean. One of the reasons for this may be that deinstitutionalization is far more difficult in less developed countries where more universal social policies, including access to education, health or social protection are often weak, limiting vulnerable children and youth's opportunities for inclusion. This makes it even more necessary to identify and divulge successful projects and programs of deinstitutionalization throughout the region.

In this sense, the Support System for Protected Adolescents represents an innovative approach to deinstitutionalization of adolescents whose rights have been infringed, as well as adolescents who have come in conflict with the law themselves. It effectively combines secondary and tertiary delinquency prevention<sup>3</sup> with reintegration into society of adolescents and children who have a long record of institutionalization or have come in conflict with the law. Its focus on deinstitutionalization and companionship (through a case worker system) promotes social inclusion and helps ex-institutionalized adolescents to cope with life outside the institution. The path chosen is the promotion of integration through education and vocational training, achieved through an innovative system that combines a stipend for independent living with individualized companionship through a case worker system.

The project is executed by the Office of the Attorney General of the Buenos Aires province and has deinstitutionalized successfully more than 1,400 adolescents (175 of which had come



in conflict with the law) between 1989 and 2007, with only 5 cases of repeated offense.

Due to its extraordinary success and innovative approach, the Support System for Protected Adolescents won the second prize of the Experiences in Social Innovation Contest, realized by ECLAC (Economic Commission for Latin America and the Caribbean) and supported by the W.K. Kellogg Foundation.

1. United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990).
2. United Nations (2006). La violencia contra niños, niñas y adolescentes, Informe de América Latina en el marco del Estudio Mundial de las Naciones Unidas
3. **Primary prevention** refers to general measures to promote social justice and equal opportunity, which thus tackle perceived root causes of offending such as poverty and other forms of marginalization. **Secondary prevention** refers to measures to assist children who are identified as being more particularly at risk, such as those whose parents are them selves in special difficulty or are not caring appropriately for them. **Tertiary prevention** involves schemes to avoid unnecessary contact with the formal justice system and other measures to prevent reoffending (Riyadh Guidelines 1990).





# 2.

## Legal context

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**The Support System for Protected Adolescents** works with three different types of beneficiaries: (1) children and adolescents with a record of institutionalization for protective reasons (civil causes); (2) children and adolescent offenders below the age of criminal responsibility (16 years old); and (3) adolescents offenders above the age of criminal responsibility subject to the newly established juvenile justice system (16 and 17 year olds).

Each case is subject to a complex architecture of international, national and provincial legal norms. The Argentina and Buenos Aires legal context has been changing over the last few years, trying to adapt its legislation and procedures to the obligations acquired by the ratification of the Convention on the Rights of the Child (CRC).

In order to situate the operation of the Support System within this framework, the following subchapters briefly describe the international, national and provincial norms applicable to children and adolescents who live in institutions or have come in conflict with the law.

## 2.1 Applicable international norms

The main child-focused international norms include:

- United Nations Standard Minimum Rules for the Administration of Juvenile Justice, also known as Beijing Rules (1985)
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty, also known as Havana Rules (1990)
- United Nations Guidelines for the Prevention of Juvenile Delinquency, also known as Riyadh Guidelines (1990)
- Convention on the Rights of the Child, CRC (1989)

The Beijing Rules contain the fundamental principle of access to a special juvenile justice system which “shall emphasize the well-being of the juvenile” and recur to punitive measures “in proportion to the circumstance of the offender and the offence” (Rule 5). Rule 11 promotes diversion practices that avoid young people’s contact with the formal judicial system.

In 1990 the Beijing Rules were followed by two other non-binding UN Agreements.

The Riyadh Guidelines specify the important role of prevention within juvenile justice, recommending a model of prevention consisting of a system of principles and policies directed at three major fields of action:

**1. Primary prevention:** understood as general measures to promote social justice and equal opportunity, tackling the root causes of criminal behavior such as poverty and other forms of marginalization.

**2. Secondary prevention:** including measures to assist children who are identified as being more particularly at risk, such as those whose parents are in special difficulty or are not caring appropriately for them.

**3. Tertiary prevention:** including provisions to avoid unnecessary contact with the formal justice system and other measures to prevent repetitive conflict with the law.

The Havana Rules apply to children under the age of 18 deprived of their liberty and are intended to establish international minimum standards for the protection of juveniles deprived of their liberty, consistent with human rights and the objective of (re)integration in society. They are based on the principle that deprivation of liberty should be a disposition of last resort, limited to exceptional cases and for the shortest amount of time possible. In case of deprivation of liberty, access to social services, meaningful activities, and contact with family members should be guaranteed, and adolescent offenders should benefit from programs aimed at their reintegration into society.

The Convention on the Rights of the Child 1989 (CRC), which by the end of 1997 had been almost universally ratified, reflects and enhances the basic principles of many standards stipulated in the three norms listed above. The Convention defines the fundamental rights of childhood, among others the right to non-discrimination (Art. 2), freedom of expression (Art. 13), freedom of thought, conscience and religion (Art. 14), the right to privacy (Art. 16), access to information (Art. 17), the right to education and leisure (Art. 28 and 31) and the respect for the views

of the child in all decisions that affect him/her (Art. 12)<sup>4</sup>. The child is defined as a subject of rights, individual and member of the family and the community. Maybe most importantly, the CRC establishes that “in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration” (Art. 3).

The CRC also establishes specific rights related to mechanisms and responsibilities of care and protection that have to be guaranteed by the ratifying State. Articles 5 and 9 set up the child’s right to live with his/her parents unless this situation is not in the best interest of the child. Governments are urged to respect the care responsibilities of parents and to support parents in exercising their role (Art. 18). Children are to be protected from abandonment and abuse by parents or other persons or institutions responsible for the child’s wellbeing (Art. 19). If parents don’t comply with their care responsibilities, children have the right to be protected and be looked after properly (Art. 20) and the mechanisms for this protection must be regularly evaluated (Art. 25) in order to assure that they are in the best interest of the child.

All rights defined by the CRC should be guaranteed for children who for different reasons live in institutions. Due to the difficulties and risks associated with residential institutions’ capacity to provide care in the best interest of the child, children’s rights organizations have repeatedly demanded it to be “a last resort” and called for growing efforts of deinstitutionalization<sup>5</sup>.

Articles 37 and 40 provide rules for protection and proper treatment of children who have come in conflict with the law. Article 37 determines the rules for detention and punishment, establishing

that no child should be punished in a cruel or harmful way, and that “arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”. In any case, children should be kept separated from arrested adults and have the possibility to keep in touch with their families. Article 40 establishes basic rules for juvenile justice, acknowledging that children who are accused of breaking the law have the right to legal help and fair treatment in a justice system that respects their rights. Furthermore, governments are required to set a minimum age below which children cannot be held criminally responsible and to provide minimum guarantees for the fairness and quick resolution of judicial or alternative proceedings.

## 2.2 Argentina national law

Since CRC provisions were incorporated in the National Constitution (art. 75) in 1994, both national and provincial laws concerning the protection of children and adolescents have been progressively adapted.

At the national level, tutelage legislation covering childhood (the Law of Patronato de Menores 10.903 dating from 1919) was modified in 2005 according to the CRC provisions. The new law 26.061 on the Integral Protection of Children’s Rights (Protección Integral de los Derechos de las Niñas, Niños y Adolescentes) lays the groundwork for a juvenile justice system and calls for institutionalized children to be integrated back into society. This national framework reduces the burden of judicial intervention in disputes involving children and adolescents, giving priority to the child and its family and considering the child as a subject of rights. Cases of protection of children and adolescents victims, as well as offenders below the age of criminal responsibility,



have been removed from the judicial realm and delegated to administrative and municipal authorities. Judicial involvement is foreseen only in the supervision and evaluation of cases in which the child is removed from his family of origin for protective reasons and placed in substitute families or a residential institution.

Given the federal nature of Argentina's political system, each province should create mechanisms to protect children from abuse and exploitation, and several provinces have initiated the process of recognition and protection of the rights of children and adolescents<sup>6</sup>.

National laws 22.278 and 22.803 establish 16 years as the age of criminal responsibility and restrict punishment for adolescents aged 16 and 17. As such, no punishment may be imposed on any person under the age of 16 and punishment -as understood as assisted liberty, semi-liberty and privation of liberty in specialized institutions for Children and Adolescents- for adolescents under the age of 18 is restricted<sup>7</sup>.

### 2.3 Buenos Aires provincial law

During the last few years, the Buenos Aires province legislation has been modified to fit national and international requirements.

In July 2007, the law 13.298 for the Promotion and Protection of the Rights of Children and Adolescents (Ley de Promoción y Protección de Derechos de Niños y Adolescentes) became effective. It recognizes children and adolescents as subjects of rights, removes all pending protection cases from the judicial realm and creates a series of institutions and mechanisms in order to formulate, coordinate, implement and control policies and programs related to the promotion and protection of children's and adolescents' rights. According to this law, **protection cases** involving children victimized

by their parents or other guardians are now subject to intervention by municipal or provincial Services for the Protection and Promotion of the Rights of Children and Adolescents (Servicios de Promoción y Protección de Derechos de Niños y Adolescentes). Only if the child or adolescent has to be removed from his and her family environment to stay with a substitute family or at residential institution, may the judicial system get involved in the control and evaluation of the measure.

For cases involving **adolescent offenders below the age of criminal responsibility** (in Argentina 16 years) legal procedures are the same as for protection cases, although technical problems in their implementation still exist. Children and adolescents under the age of 16 who have come in conflict with the law thus usually stay with their parents or other family members. Only if there is no family member who can sign responsibility for the child/adolescent offender or if the child/adolescent himself has been victim of an offence by family members, institutional care is considered. In both cases, the municipal Service for the Protection of Rights offers the possibility for the child or adolescent to participate in educational, recreational or therapeutic activities (e.g. in the case of addictions).

**Adolescent offenders from 16 to 18 years of age** are now subject to the juvenile justice system created by the provincial law 13.634 in accordance with the CRC provisions. The law, which became effective in July 2008, (1) grants adolescents all the legal guarantees effective for adults (as required by the CRC), (2) makes institutionalization a measure of last resort and provides for alternative measures and sanctions in liberty or semi-liberty<sup>8</sup>, (3) leaves broad margins for discontinuation of suits against children and adolescents, and (4) eliminates preventive detention of children and adolescents.



SISTEMA DE SOSTEN/ARGENTINA/2008

The law also enacts a complete institutional reform of the old tutelary system, giving headway to a juvenile justice system. The law also contemplates the possibility of diversion (Art. 40, provincial law 13.634) from the formal justice system by discretion of the prosecutor who may decide not to file charges against the child or adolescent or discontinue and already initiated case.

4. The CRC defines children as persons under the age of 18 (Art. 1).

5. UNICEF (2003). Children in institutions: the beginning of the end? The cases of Italy, Spain, Argentina, Chile and Uruguay. A Last Resort: The growing concern about children in residential care.

6. Buenos Aires, Mendoza, Chubut, Salta, Misiones, Tierra del Fuego, Neuquén, Jujuy are among the provinces that have initiated legislative reforms on this matter.

7. No punishment may be imposed for a privately actionable offence, offences carrying a custodial sentence of not more than two years, or offences punishable by a fine or disqualification.

8. In the Argentinean case, magnetic bracelets are used for this measure.



# 3.

## Project objectives and activities

**Since** the coming into effect of the new legislation, the Support System for Protected Adolescents works with three kinds of beneficiaries:<sup>9</sup>

1. Children and adolescents who have been victims of crimes (abandon, abuse, violence, etc.) and are therefore separated from their families and internalized in institutions of protection;
2. Children and adolescents under the age of 16 (age of criminal responsibility) who have come in conflict with law and due to an absent or difficult family context to take responsibility for the compliance of the measures ordered, need to be separated from their families and internalized in institutions of protection;
3. Adolescents between 16 and 18 who have come in conflict with the law and are subject to juvenile justice.



Before the project was implemented, there was no mechanism to ensure the integration of these children who left residential care or reclusion after long periods of institutionalization. Changes in the legal framework described above, also created a need for diversion and reintegration measures for adolescents who do not have a family context capable of containing them while serving a sentence in liberty or semi-liberty (e.g. community service). In fact, adolescents who lacked such family ties were not eligible for these punitive measures and referred to institutional arrangements. The long-term effects of this institutionalization complicated their reintegration and fostered a vicious cycle of exclusion and marginality.

While the project fully acknowledges the child's right to live with his or her family, it provides a valid alternative for the reintegration of children and adolescents who lack a family context or other adult references who can sign responsible for their well-being and integration in the community. It defines the child as a subject of rights and responsibilities, encourages behavioral change, and fosters integration through education and companionship. Its focus on deinstitutionalization is in line with international norms that encourage alternative resolutions and measures of prevention and reintegration (Beijing Rules and Riyadh Guidelines).

### 3.1 Objectives and pillars of the project

Vis-à-vis this analysis, the goal was to design a model without institutionalization that would allow working with adolescents as subjects (not objects of protection), confronting and healing the damages produced by long periods of institutionalization, and preventing

future conflict with the law.<sup>10</sup> The adolescent would be accompanied and supported during the construction of his/her life project, while respecting his/her subjectivity, his/her choices and his/her right to self-determination. During this process, the adolescent would learn to assume responsibility for his/her actions and decisions and to lead an independent life inserted into the community of his/her choice. For the team engaged in the design of the project, the main path to inclusion was access to education and vocational training, given that they help the adolescent to acquire the skills he/she needs in order to enter the labor market and generate his/her own revenues.

The specific objectives for each adolescent are resumed in Box I.

#### Box I. Specific objectives of the Support System

The adolescent learns to:

- live outside of an institution assuming the responsibility for his/her own life
- begin or finish his/her education or vocational training
- insert him/herself in the labor market
- make full exercise of his/her rights and responsibilities

In order to achieve these goals, the work of the Support System is based on three pillars: (1) the return to education or vocational training, (2) a stipend to cover living expenses while the young person is engaged in his/her studies, and (3) a case worker who accompanies the young person during his/her period of adjustment to life in the open society (Box II).

## **Box II.** **Pillars of the Support System**

1. Return to education and vocational training
2. Stipend to cover living expenses during reintegration
3. Companionship through an individual case worker system

Concerning the first pillar, the adolescent's commitment to pursue the education or vocational training of his/her choice is a sine-qua-non condition for his/her entry into the program. In this sense and with regards to the second pillar, it is important to stress that the stipend directly depends on this commitment. The stipend is thus "earned" money, rather than a "charitable" donation. The adolescent has to cover his/her living expenses with an amount of around 90 USD/month during reintegration. To this purpose, the adolescent receives a monthly check that he/she can cash in any bank and has to administer by him/herself.

The third pillar of companionship through the case worker system represents one of the most innovative elements of the project. In the beginning, this follow-up work was performed by professionals from traditional disciplines (lawyers, psychologists and social workers). However, it didn't yield the expected results, given that most adolescents showed resistance towards these professions who had historically intervened in their lives during institutionalization. The team decided to establish a different relationship based on companionship more than on pure follow-up, working with the adolescent as a subject of his/her own right instead of analyzing him or her as an object of study. The role and characteristics of the case worker system are further described in section 3.4.

## **3.2 Ways of entry**

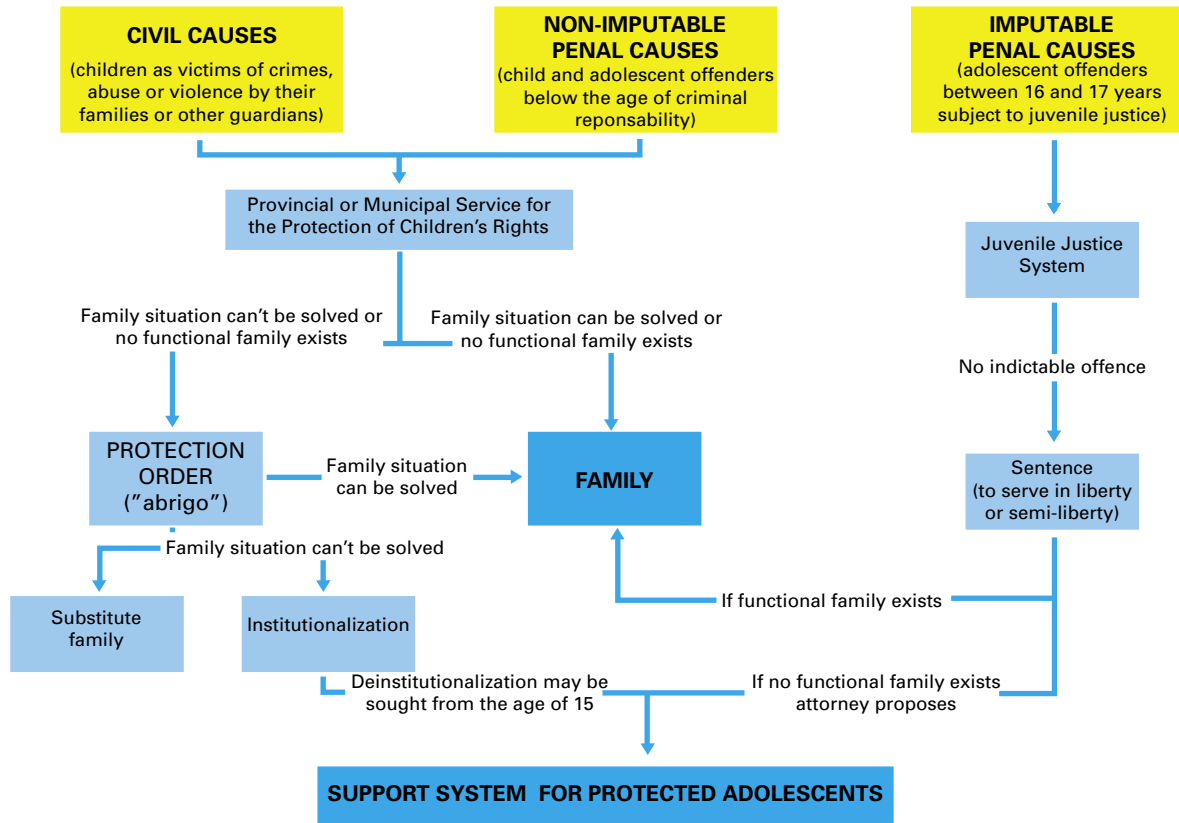
There are several means of entry to the Support System for Protected Adolescents, depending on the age, family background and legal situation of the adolescent.

In the case of children and adolescents who have been victims of crimes (abandonment, abuse, violence, etc.) at the hands of their family and therefore have to be separated, the Protection Service looks for alternatives (e.g. an extended family member who can take care of the child or adolescent). If no alternative arrangement can be found, the child is internalized in institutions of protection. If they wish to leave the institution, they can apply to the Support System through the Advisory Board of Minors (Asesoría de Incapaces). There is no legally binding minimum age for application. The main issues to be evaluated upon entry into the program are whether the minors can live with a family member or are able and old enough to live on their own.

The same is true for children and adolescents who come in conflict with the law before reaching the age of criminal responsibility and end up in protective institutions due to a family context that puts in danger the child's wellbeing. These cases are also applied to the Support System through the Advisory Board of Minors (Asesoría de Incapaces).

From July 2008 on, adolescents aged 16 and 17 who have come in conflict with the law are subject to juvenile justice. Imputable adolescents of that age group can enter the Support System when there is no family who can contain them or guarantee the execution of a sentence based on liberty or semi-liberty.

## Ways to entry into the support system



Usually, adolescents enter the program at the age of 17. In some cases, 15 and 16 year-olds adolescents have applied and been accepted by the program under the condition that they live with a responsible adult (godfather, godmother, grandparents).

### 3.3 The admission process

Once an adolescent applied to the program, the Support System evaluates this application and the applicant is interviewed by a team of psychologists and social workers in order to determine his desire and possibilities to assume the responsibility for his/her own life and to live autonomously. The interview focuses on



moments in the adolescent's life history that are revealing for his capacity to organize his/her day-to-day life: to provide for food, to manage money, to move him/herself geographically within his/her community, to continue his/her studies regularly, to have work experience, etc. The adolescent is not expected to have fully achieved any of these competences. Rather, the idea is to determine whether he or she will be able to acquire, supported by a case worker, the necessary experience in these fields.

The Support System for Protected Adolescents works in collaboration with associated NGO's. For example the NGO Abrigo proposes adolescents to the Advisory Board of Minors, so they can be included in the Support System. The relation between the institutions of internment is closer as the situation of the adolescent is more complex. In the evaluation process, there are cases when the adolescents are not ready to enter the Support System. In this context, the follow up is made in articulation with the NGO, until he is ready. Sometimes there are some conditions established in order to enter such as: being enroll in a course or training, to start a procedure to obtain an Identification document or to look for a room in a hostel nearby. When there is an adolescent with addictions in a rehabilitation program, the Support System for Protected Adolescents is totally involved with the process. It begins when a request is made until the adolescent is fully accepted. In such scenario, the Case Worker begins to visit the adolescent in the institution of interment.

Based on this evaluation, the interdisciplinary team of the project, consisting of lawyers, psychologists and social workers, makes the final decision on admission during one of its weekly meetings. Until 2007, 70% of applications had been admitted. 30% of applicants are rejected mainly because they express a lack of motivation to exit the institution or because they haven't

reached the necessary level of stability and self-esteem to start living on their own.

The admission process usually takes between 15 and 20 days, given that due to the extension of the province, travel arrangements have to be made for many applicants in order to attend their interviews in La Plata.

Once the adolescent is accepted, the project requests the stipend and keeps in touch with the fellow to make all the necessary arrangements for his/her deinstitutionalization. Each adolescent's case is filed and updated continuously to monitor his/her development.

From this point on, most fellows start to live on their own, considering that their family background normally doesn't allow them to return home. The stipend is usually enough to rent a room with shared bathroom or a place in a student dormitory. Sometimes several fellows also rent a place together. A small number of fellows are accepted to the program before the age of 17; for this group the companionship doesn't suffice as a mechanism of containment, therefore they usually live with a responsible adult of their extended family or kin (grandparents, godfather, godmother, etc.).

### **3.4 The organization of companionship and the contract of shared responsibilities**

With his/her admission to the system, a case worker is assigned to each fellow taking into account the characteristics of each case and its geographical location (distance). After the case worker has become acquainted with the case, he enters into contact with the adolescent in order to agree on the terms and frequency of their meetings.

They then gather at the offices of the Support System to sign the “contract of shared responsibilities”, an agreement that establishes rights and obligations for both parties and comprises the possibility of revocation in case of non-fulfillment. The purpose of this contract is to give the adolescent a sense of the voluntary character of the program, making clear to him/her that it is his/her free choice to participate. The contract also goes beyond the usual assistance to the needs of vulnerable youth, formally acknowledging his/her rights and obligations. His/her becoming conscious that he/she is assuming responsibility of his/her own free will vis-à-vis another person is the key issue. The contract also defines the responsibility of the institution, rendering the program transparent, consistent and predictable for the young person. It thus is much more than a symbolic act, it establishes the beginning of a relationship that fosters respect for the adolescent’s decisions and his/her commitment to them.

From this moment on, the case worker begins his/her regular work with the young person aimed at providing him/her with different strategies of self-appraisal in order to imagine, redefine, and take the first steps of his/her new life in liberty.

These meetings take place on a weekly or bi-weekly basis between the case worker and the fellow, during which they discuss his/her situation in terms of his/her projects and activities, focusing their attention on the specific obstacles he/she have to tackle. Within this space the case worker supports and sustains the adolescent emotionally by listening to his/her thoughts, by making him/her feel sheltered and understood. Together they identify the barriers that impede his/her growth, situations he/she has difficulty with and jointly they try to find the reasons and work out strategies to confront them.

If required, the case worker accompanies the adolescent to run errands, something that is unknown to him/her due to his/her history of institutionalization. This helps him/her to know how to make use of public health, education, housing and transport services, look for a job, etc. The task of each case worker is to help the young person to make it, stimulating him/her to manage, his/her new life project and help find their place in society.

The duration of this process depends on each particular case, given that the ways and the timing for the definition of a new life project differ for each adolescent. However, a minimum of a year and an average of three years are necessary for most young people in order to get use to being outside of the institution.

9. Before that, the Support System also accepted adolescents from 18 to 21 years who had come in conflict with the law after reaching the age of criminal responsibility and had to serve sentences in liberty or semi-liberty. Since 2008, the Support System may accept adolescent offenders of 18 years and older only if they were younger than 18 when committing the offence.

10. An analysis of life stories conducted by the Department of Social Studies and Projects (Departamento de Estudios Sociales y Proyectos) of the Buenos Aires Province Ministry of Public Affairs (Ministerio Público) in the late 1980s revealed that a large number of imprisoned adults in the Buenos Aires penitentiaries had had experiences with the justice system when they were children. Due to civil causes (victimization by parents or other guardians) when they were young, many of them had spent part of their childhood in residential institutions. For this reason, the focus on institutionalized children and adolescents as a specific risk group and their deinstitutionalization is also aimed at secondary prevention as specified by the Riyadh Guidelines.

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# 4.

## Institutional Structure and Proceedings

**Starting** out as a pilot project initiated by the General Attorney in 1989, the Support System was established in the Province of Buenos Aires by law (Ley 11.852) in 1996, ensuring its continuity independent from electoral changes. Its design is based on interdisciplinary cooperation between lawyers, psychologists, social scientists and social workers.

### 4.1 Institutional setting

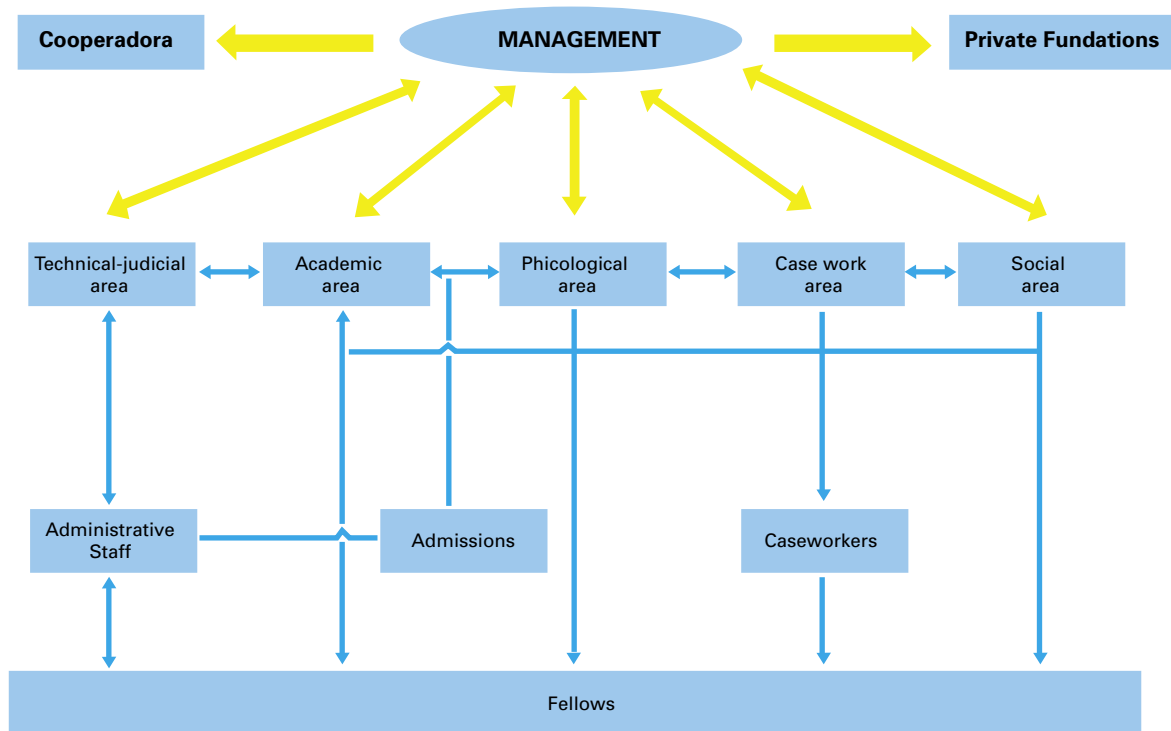
This interdisciplinary approach is reflected in the organizational framework of the Support System. The general management supervises the work of the five main areas (technical judicial, academic, psychological, social and case work) and keeps in touch with the superior levels of the Office of the Attorney General of the Supreme Court of Justice (Procuración General de la Corte Suprema de Justicia) and all external actors, such as the Cooperadora, an NGO in charge of fund-raising

PODER JUDICIAL

SUPREMA CORTE DE JUSTICIA

PROCURACION GENERAL

## ORGANIZATIONAL CHART: Support System for Protected Adolescents



for the Support System, and private foundations that collaborate with the project (e.g. the Renault Foundation who contributes funds for stipends).

The work of all areas is interconnected, and supervised by the general management, and

all of these areas stay in close relation with the case workers and the fellows. In the case of specific problems, strategies and interventions are coordinated and discussed among the whole team. The following table summarizes the tasks and activities of each area.



## Tasks of the support system's main areas

### Areas

### Tasks and competences

#### Technical-judicial area

- Initiate and coordinate the psychological and social evaluation once the application has been received
- Create an individual file for each adolescent
- Resolve issues related to the judicial situation of participants who have come in conflict with the law (lawsuits, deinstitutionalizations, parole)
- Respond to legal inquiries by fellows, concerning e.g. inheritance, successions, work conflicts, legal reports.
- Give legal advice for paternity litigations and visitation rights in the case of fellows with children
- Participate in the training of new and continuous training of all case workers

#### Psychological area

- Issue the psychological reports related to the applicant's evaluation
- Counsel fellows in case of psychological problems that restrict their development or the case worker's job
- Refer the adolescent to an external therapist if necessary<sup>11</sup> and follow-up the reference
- Contact one or more psychological services in each judicial department as references
- Order all the necessary information on the adolescent's health
- Read the fellow's file when necessary
- Organize the meetings between the adolescent and his/her local case worker
- Evaluate and select new case workers in coordination with other areas
- Participate in the training of new and continuous training of all case workers

#### Social area

- Issue the reports on the socio-economic environment of the applicant in relation with his/her evaluation
- Issue other reports on the adolescent's environment on demand of other areas in order to establish the conditions of accommodation and the adolescent's economic and social situation
- Collaborate with the case worker on his/her demand or in cases where high social vulnerability requires support
- Establish links to and partnerships with different social services, educational establishments and entities of assistance
- Keep an up-to-date register of these services, inform and advise fellows about access to them
- Public and private proactive fund-raising or as suggested by other areas
- Evaluate and select new case workers in coordination with other areas
- Participate in the training of new and continuous training of all case workers

### Areas

### Tasks and competences

#### Case work area

- Determine general and individual proceedings of case work according to each one and in accordance with the case workers
- Determine the frequency of visits together with the case worker depending on the characteristics of each case
- Supervise the case worker's work
- Hold monthly meetings with all case workers and keep a protocol of important decisions and new modalities established during these meetings
- Maintain fluent contact with the other areas of the Support System
- Promote activities related to training of the case worker staff
- Contact institutions or persons who can contribute to or improve case working
- Determine the case workers' weekly shifts
- Evaluate and select new case workers in coordination with the other areas
- Participate in the training of new and continuous training of all case workers

#### Academic area

- Do the academic follow-up on fellows through monthly personal or phone contacts
- The results of each of these interviews are recorded in the correspondent table and added to the adolescent's file
- Accredit all institutions in which the fellows realize their studies or vocational training
- Enter into contact with the person in charge of these institutions in order to provide them with all the information necessary to better achieve the Support System's objectives
- Coordinate with the case work area, the actions to be taken if one of the fellows doesn't meet the minimal requirements in his/her educational performance
- Enter into contact with all institutions or persons who can provide pedagogic assistance to the Support System
- Keep an up-to-date registry of all university and tertiary specializations, as well as fast vocational training opportunities offered by the educational community
- Participate in the training of new and continuous training of all case workers

## 4.2 Characteristics of the team

In 2007, the staff of the Support System for Protected Adolescents comprised 28 people.

- 2 lawyers
- 3 psychologists
- 2 social workers
- 15 case workers, 3 of which work through contracts with different municipalities and are remunerated by them
- 4 administrative staff members
- 1 budget operator
- 1 messenger/receptionist

While most of the area work is done by traditional professionals, the direct work with the beneficiaries is performed by staff with a very unorthodox profile, and the peculiarity of the case worker is one of the Support System's greatest success stories.

In the case of the case workers, personality is given priority over educational background: the ability to listen and enter into the world of the young person is far more important than a degree or vocational training in a specific field. In fact, based on prior experiences, the team in charge of the Support System decided that the case worker should not be a professional from one of the fields that have traditionally intervened in the adolescent's life. This means that lawyers, psychologists and social workers are excluded from performing this task.

As shown above, the formal requirements are age (25 years) and having completed secondary education. Besides, a series of personal characteristics are desirable. The current team of case workers includes people from backgrounds as different as a flamenco teacher, a case worker with unfinished studies in history, a bachelor in social communication, and a physical education teacher.

### Box III.

#### The ideal case worker profile

- Minimum age: 25 years
- Completed secondary education
- Ability to listen from an open-minded and objective standpoint
- Ability to perceive situations beyond the explicit discourse of the participant (without him/her making a direct reference)
- Ability to analyze critically
- Ability to resolve complex and unforeseen situations fast and effectively
- Disposition to work flexible hours, given that his/her activity is not tied to a regular schedule
- Solidarity, but not paternalism in his/her attitude towards companionship
- A broad range of criteria, without prejudices about specific ways of thinking or acting which would limit case work
- Ability to contain the fellow without invading his/her with anxieties, fears or worries
- Preferably studying or training in humanities

**In no case may the case worker be a lawyer, a psychologist or a social worker.**

Once the applicant is accepted for the job, he or she receives training in the legal, psychological and social aspects of case work. The successful participation in this course of "Companionship for social integration" leads to a diploma which is accredited and certified by the Ministry of Education. Annex I contains a more detailed description of the units and topics covered by the diploma.

The case worker also receives continuous training and assistance during his/her work with the adolescent. This training is done through both collaboration with the professionals from

the other areas (psychologists, lawyers and social workers) and through specific workshops based on the needs the case workers perceive. The workshops are held by internal and external staff and have been related to topics like the specificities of criminal cases, anorexia and bulimia, HIV/Aids and others.

### 4.3 Characteristics of the beneficiaries

The Support System attends an average of 200 adolescents per year. The great majority of these adolescents are younger than 23 years old and to have spent an average of 11 years of their life in protection or penal institutions. Since 1989, the program has received 1,427 fellows.

The database of the Support System has been computerized since the year 2000. The following distribution of beneficiaries is therefore based on the entries between 2000 and 2007. Within this period, the Support System admitted 902 fellows to the program, 175 of which were penal causes of both imputable and non-imputable adolescents (19.4%).<sup>12</sup>

As to the distribution by sex, women constitute the majority of the civil causes beneficiaries –protection cases-, making up an average 64% of overall participants of the program, whereas in penal causes male participants outweigh females: from 2000 to 2007 nine of the 175 youngsters with penal cases were women (5.1%).

Many are teen parents (33% of women participating in the program in 2005 and 37% in 2006/2007) and a high percentage has had problems with alcohol or psychotropic abuse. 10% of the adolescents are addicts who have already attended a rehabilitation unsuccessfully.

### 4.4 Partnerships and funding

The legal instauration of the Support System within the judicial system of the Buenos Aires Province has allowed the project to have a proper budget which covers staff, administrative costs and stipends. Besides, the project pools resources from a number of public services, allocated for justice, education, health care and vocational training, without duplicating them.

Other funding comes from the National Council for Childhood and Youth (Consejo de Niñez y Adolescencia) and the Renault Foundation. These funds are mainly used for increasing the monthly stipends for the fellows.

The Support System has also established partnerships with six municipalities of the Buenos Aires Province (Bahía Blanca, Lomas de Zamora, Necochea, Tandil, Olavaria y Azul) who employ and pay one case worker each in order to attend cases within their communities.

11. All therapies the adolescent may require are realized outside the institutional realm of the project; this responds to the observation that most institutionalized adolescents don't have any experiences of intimacy given that during institutionalizations, their life stories, affections and emotions have been controlled by institutional agents. The externalization of this service reinforces the idea that it is the adolescent's choice to go for the therapy and expose his/her subjectivity, and not the project that obliges him/her to do so.

12. Before the coming into force of the new provincial law (13.634) in 2008, no difference was made between imputable and non-imputable causes by data collection of the Support System, which is why no numerical distinction between these two kinds of beneficiaries can be made.



Y luego el grande  
El Sistema de  
m tarde especial  
memoria de  
es la misma  
adulterio grande  
coron  
a recordare por  
no.  
Gracias  
Laura  
Catalina 20/11

# 5

## Relevance

Worldwide, UNICEF promotes the protection of children and adolescents' rights, contributes to the satisfaction of their needs and the growth of their opportunities. The CRC, which is the backbone of UNICEF's institutional mandate, defines a child as human being up to the age of 18 years. UNICEF's focus for the age group 10 to 18 years is to provide them with the "opportunity to develop positive individual skills and abilities in favorable and safe surroundings. Enabling adolescents to contribute and participate within the family, the school, the community and society at large"<sup>13</sup>.

In general terms, the Support System contributes to the reduction of inequity and exclusion by tackling a group of children and adolescents who face the particular risks associated with institutionalization and its consequences. It also responds to UNICEF's strategy of investment in opportunities for adolescents, promoting their reintegration into formal education, and/

or vocational training, adolescents' positive integration into the labor market.

Without doubts, the Support System for Protected Adolescents is a concrete mechanism for both the realization of the rights of children and adolescents who have been institutionalized and the prevention of the institutionalization of adolescents due to protection or penal causes. It upholds the positive adolescent development approach by investing in adolescent, awarding them opportunities for their development and using a holistic vision of the adolescent's developmental needs based on self-determination and progressive autonomy. This chapter briefly discusses the aspects of the program's approach and methodology that are of particular relevance to UNICEF's programming priorities at the national and regional level.

## 5.1 Approach

The creation and improvement of protection mechanisms as well as the adaptation of national and provincial laws, institutions and practices to the Convention of the Rights of the Child have been a major task of action for UNICEF both regional and national levels. In fact, the organization played an important role in the reformation process that led to the National Law on the Integral Protection of the Rights of Children and Adolescents (26.061) in Argentina and the creation of several institutions in charge of its implementation in the country's provinces.

The protection of institutionalized youth, the search for possibilities of deinstitutionalization, and the creation of services for rehabilitation have also been an important component of UNICEF's work in Latin America and the Caribbean. In Argentina, UNICEF's lines of action include the design and development of

mechanism of deinstitutionalization of children subject to protection causes and the promotion of the juvenile criminal justice system.

In 2006, the country office team compiled a report on the situation of institutionalized children and youth in close collaboration with the Ministry for Justice and Human Rights.<sup>14</sup> This study found that a large number of children and adolescents live in institutions across the country (19,579), the great majority (87%) for causes related to assistance and protection. The data collected by this investigation before the new law 26.061 came into effect stressed the importance of training and dissemination among policy makers and implementers within the framework of this law.

While respecting the child's right to live with his/her parents, the Support System's approach fills a gap left open when the family fails to act in the best interest of the child. As shown by UNICEF's report on Argentina, there is a substantial number of children and adolescents whose parents or guardians have victimized them or, in case of child and adolescent offenders, are the motivating source for criminal behavior. In these cases, children have the right to be protected, and unfortunately there are still few alternatives to institutionalization for realizing this protection. Given the negative effects on the child's development and limited opportunities due to many years spent in an institution, the Support System fulfills two important roles to prevent or mitigate these effects. On the one hand, it avoids institutionalization of adolescents aged 16 and 17 who have come in conflict with the law and don't have a family context which permits them to serve their sentence in liberty or semi-liberty. On the other hand, it effectively contributes to the deinstitutionalization and reintegration of children and adolescents who have spent time in residential or penal institutions.

With regards to the establishment of juvenile criminal justice systems and responses to criminal adolescent behavior, UNICEF recommends that:

**“In this area, any response on the part of the state or society must have legal, social and educational components. Adolescent criminal offenders are entitled to access to a criminal justice system for juveniles, one that combines delinquency prevention with restoration of justice and reentry into society.”<sup>15</sup>**

The conception of the Support System for Protected Adolescents clearly addresses all of the mentioned components: while the new legislation allows for a close collaboration with the juvenile criminal justice system on the legal side, the commitment to return to education and the concept of companionship cover aspects of education and social integration under the premise of full respect for the adolescent’s opinions and decisions.

## 5.2 Methodology

The methodology of intervention holds of adolescents as subjects of rights whose opinions and decisions are respected and taken seriously. During their fellowship adolescents gain the necessary skills to make decisions that affect their lives in a meaningful and responsible way. This is even more important given the fact that many beneficiaries have been patronized by institutions over long periods of time, during which they were not able to develop the capacity and the self-esteem necessary to find out and decide what is good for them.

The admission to the program and the signing of the contract of shared responsibilities are aimed at creating self-consciousness about the voluntary character of the adolescent’s decision

and constitute the first serious commitment he or she assumes.

The strategy of companionship allows for a relationship to evolve that contains the adolescent while experiencing his or her first steps in an independent life. Rather than being a professional who analyzes the young person, the case worker is a companion who listens and helps the fellow to organize his or her thoughts, to map out and analyze scenarios for his or her reintegration into the community. This is the mechanism through which the young person learns to make responsible decisions and allows him or her to acquire life-skills he/she needs for an adult life.

The commitment to education is consistent with an approach of investment in the adolescent’s opportunities, making his or her reintegration into society viable and sustainable.

The flexible duration of the program is also an important aspect as it adapts the intervention to each adolescent’s particular needs, rather than stipulating a fixed period after which he or she has to be able to make it on their own.

13. UNICEF (2001). *Adolescents in Latin America and the Caribbean: Policy Guidelines*.

14. Ministerio de Justicia y Derechos Humanos de la Nación / UNICEF (2006): *Privados de libertad. Situación de niños, niñas y adolescentes en Argentina*.

15. UNICEF (2001). *Adolescents in Latin America and the Caribbean: Policy Guidelines*.



# 6.

## Effectiveness and efficiency

25

Deinstitutionalization and social integration of vulnerable youth, victims of violence and abuse or children and adolescent law offenders is the ultimate objective of the Support System. This process includes the assumption of responsibility by the adolescent, his/her commitment to educational or vocational training, a learning process related to all the components that make up an autonomous life, and the establishment of bonds to people in his/her community. In the case of adolescents who have come in conflict with the law preventing recidivism through sustainable social integration is another key goal.

### 6.1 Impact of the Support System

Since its implementation in 1989 until the end of 2007, the Support System has attended 1,427 adolescents in situation of vulnerability. The Support System gives a choice to these children and adolescents to be reintegrated, rather than



institutionalized in residential or penal institutions without a proper entry point into society.

With regards to law offenders, the Support System's impact is clear: until 2007, the program had five cases of recidivism out of 175 cases that had come in conflict with the law prior to entering the program (less than 3%). As to the protection cases, only three young people have decided to drop out and re-institutionalize voluntarily in a residential institution; another three cases suffered psychotic attacks and had to be temporarily referred to neuro-psychiatric institutions. Finally, two cases were referred to drug rehabilitation.

Summing up, 1,414 out of 1,427 adolescents admitted to the Support System "graduated" from the Support System (less than 1% drop-out rate), which means that they found themselves able to live an autonomous life outside of an institution.

In terms of the quality of social integration, a survey conducted by the Support System among 167 of its "graduates" gives some evidence of educational, labor and familial achievements of ex-fellows who had graduated from the program five years before on average.

At the time of the survey, 42.1% of interviewed ex-fellows had completed secondary education, almost 20% had achieved a university or other tertiary degree and 37% were still studying.

With regards to interpersonal bonds, most ex-fellows had built their own family (68.3%), 14.8 percent live on their own, 3.7 percent live with their family of origin and another 1.9% with an adoptive family. This shows that children and adolescents, who didn't have any affective reference before, and have been able to build their own affective network, their own affective support system. The ones who live with their family of origin have often been able to

#### **Box IV. Achievement of social integration: Key indicators for the success of the support system**

##### **Educational Attainment**

• High School education completed	42.1%
• University or tertiary education completed	19.7%
• Studying	37.0%

##### **Labor Market Integration**

• Working	78.5%
• Not working	14.3%
• Housewife	9.0%

##### **Interpersonal Bonds**

• Founded his/her own family	68.3%
• Lives on his/her own	14.8%
• Lives with his/her original family	3.7%
• Lives with an adoptive family	1.9%

Source: Information based on a 2006 survey among 167 Support System graduates.

reconstruct family ties through their brothers and sisters.

On the other hand, it is worth emphasizing that more than three quarters of the interviewed ex-participants have been successfully integrated into the labor market; this is particularly remarkable considering that in the Greater Buenos Aires Area youth is particularly affected by unemployment with a rate of 25.8% for 15-24 year olds as compared to 11.5% total unemployment as of 2005.<sup>16</sup>

In terms of job quality, 45.5% had found stable work in the public or private sector, 31.8% were working as commercial employees, 18.2% as independent free-lance workers, and 4.5% was working occasional jobs.

#### Box V. Labor market integration: Types of jobs

Commercial employee	31.8%
Stable employment in the public sector	29.5%
Stable employment in the private sector	16.0%
Independent, free-lance work	18.2%
Occasional jobs	4.5%

Source: Information based on a 2006 survey among 167 Support System graduates.

## 6.2 Absolute and relative costs

The Support System has a monthly cost of around 39,000 USD for 200 adolescents. The costs are divided as follows (2006):

The average monthly cost per beneficiary is 193 USD, a quarter of the cost of institutionalization, which amount to 812 USD per month per adolescent on average. The exact amount of money that a beneficiary receives is defined by his/her individual situation. For example: Teenage mothers usually receive two stipends upon entry and – depending on the time of application – a two to three months allowance to start out with.

#### Box VI. Absolute and relative costs for the Support System

Activity	Total Costs (USD)	Cost per beneficiary (USD)
Stipends	15,824	79.12
Equipment and stationary	234	1.17
Electricity and water	1,314	6.57
Travel expenses and mobility	714	3.57
Office rent	1,587	7.94
Salaries	19,056	95.28
<b>TOTAL</b>	<b>38,729</b>	<b>193.65</b>

Source: Based on information by the Support System.

Considering its positive outcomes in terms of social integration and prevention of recidivism, the Support System not only also avoids future public spending, but also helps adolescents to generate their own income and exercise their citizen rights.

A large, leafy tree stands in a grassy field. In the foreground, the lower leg and white pants of a person are visible. The background shows a fence and some buildings under a clear sky.

# 7

## Sustainability

**The** Support System shows a high degree of sustainability achieved mainly through the effectiveness and tangibility of its results which have permitted its institutionalization by law.

In terms of financial sustainability, the project has achieved relative stability in funding, with the majority of funds coming from the Buenos Aires judicial system (around 88%). Furthermore, the Support System has been able to mobilize additional funds from other public and private partners in order to stock up stipends and finance case workers through municipal agreements.



# 8

## Constraints and obstacles faced during implementation

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**The** main obstacles faced during the implementation of the project were:

1. Resources: Both economic and human resources (case workers) are difficult to mobilize at the beginning.
2. Ideological conflicts with the traditional protection system: the adolescents' participation in the design and implementation of his/her life project was perceived with skepticism from the standpoint of actors who traditionally work in the judicial area (from judges to technical teams) and raised resistance at the beginning of the project.
3. Raising awareness about the need to professionalize and adequate remuneration of case workers: make clear that their job is different from any type of voluntary work in the sense that it has to be performed consecutively during a minimum of three years.





4. Raising acceptance of the rigorous selection of case workers according to a defined profile.

5. Achieving the acceptance of the Support System's approach by other intervening institution, based on the respect for each adolescent's timelines and desires.

6. The discrimination suffered by adolescents in Argentina associated with conflict represents a general obstacle to their integration.

Depending on the country context, it is important to keep in mind that these difficulties are likely to arise in replication processes as well. The challenge of cultural change required within the judicial system and its proceedings with regards to the treatment and perception of the adolescent as a subject of rights is fundamental in order to convert the rights stipulated in the Convention on the Rights of the Child in "rights in action". However difficult it is to achieve this, cultural change seems to come more easily once a pilot project can present successful results.

A person wearing a purple long-sleeved shirt and light-colored, possibly white, pants is walking away from the camera on a dirt path. In the background, there is a building with a purple upper section and a light blue lower section. The sky is clear and blue.

# 9.

## Innovation

31

**The Support System for Protected Adolescents** is an innovative approach to deinstitutionalization of adolescents whose whole process and components are aimed at the young person's autonomy, his/her educational advancement and the construction of his/her personal support network.

The most innovative features as determined by the Project Experiences in Social Innovation carried out by CEPAL with the support of the W. K. Kellogg Foundation, are the following:

1. The conceptualization of the adolescent victim and/or offender as a subject capable of constructing and assuming responsibilities and commitment with a life project of his/her choice, rather than an object of punishment or social sanctions with a possibility of



recuperation through institutionalized assistance. The various instances integrated in the project underscore this perception (selection process, agreement of shared responsibilities, encouragement of decision-making and respect for his/her choices).

2. The notion of companionship that materializes through case work, represents a major innovation: the case worker is not a traditional professional who leads the adolescent's way to integration, but an adult reference who allows young persons to think about and discover his/her rights and preferences, and find a contained space in which to design his/her own future. Besides logistical and technical issues, emotional support is a major component of this work, allowing for the adolescent's holistic development.

3. The stipend as a means of realizing the young person's capability of choice is an important component through which the adolescent is stimulated to responsibly take care of him/herself from the very beginning of his/her process of social integration.



# 10.

## Lessons learned

**This** chapter explores the lessons learned during the design and implementation of the Support System. It is based on lessons expressed by the project leaders, changes in strategies or focus during the course of the project, successful and failed experiences during implementation: the main areas treated are design, methodology and institutional setting. These lessons also present the basis for the recommendations for replication further elaborated in section 11.

33

### 10.1 Project design

Social integration after institutionalization represents an important and profound change in the life of a young person who has been deprived of freedom during long periods of his/her life. It implies a process of repositioning vis-à-vis the community and the self, adopting a new lifestyle and taking advantage of educational and job opportunities.



This approach to social integration implies five important lessons related to project design:

1. The offering of real **alternatives** is key for the project's success. Access to education and improved labor market competitiveness reduce the risks of drop-out and recidivism.
2. A **holistic view of integration** ensures that the adolescent is able to identify and choose these alternatives. The process of companionship goes beyond economic vulnerability and takes the adolescent's individuality and subjectivity into account.
3. **Education** might not be the only way to social integration, but it is a means through which adolescents, previously isolated in institutions, start to interact with other youth from different backgrounds. It also is the basis for future opportunities and a major protection factor for the adolescent.
4. The emphasis on the **adolescent's will and desire** to take on these alternatives has to be assessed carefully; after admission his/her ability to make decisions has to be fostered constantly.
5. The stability achieved through companionship and progressive social integration requires time. The design of a **medium-term strategy** with duration of 1 to 3 years, depending on each adolescent's needs, ensures the sustainability of achievements.

## 10.2 Methodology

The premise of the young person's autonomy means that the best solution for the adolescent is the one he or she is able to construct. The Support System abides to this perspective from the very beginning of the admission process to

the moment the young person believes to be ready to "graduate".

In terms of methodology, the following lessons can be drawn from the Support System's experience:

1. The institution and the staff **empower** adolescents to build their own plans. This approach contributes to the sustainability of the adolescent's project because it upholds what he or she chooses and what he or she feels in order to be able to tackle and to maintain their own short-term and long-term goals. The process of companionship, involves listening to the desires of the young person rather than offering him or her answers.
2. Installing a **rights perspective** with regard to the adolescents who participate in the program requires training of staff, especially those directly involved with the fellows (case workers).
3. The particular **profile** of the case worker responds to the fact that traditional professionals are more likely to impose what they think is good for the young person, while a person who is not associated with these professions may better achieve a respectful and affective relationship.
4. The selection process and the **agreement** of shared responsibilities create a sense of ownership of the project's objectives in the young person, and during the process of integration, it is always the fellow who leads the way.

## 10.3 Institutional setting

As mentioned previously, the Support System's methodology implies an important cultural





change in the judicial system's modus operandi. This change can be facilitated through the experience and the tangible results of a pilot project, as well as the interdisciplinary composition of the team.

1. **Consolidation:** aim at anchoring the project in the judicial system by law in order to be more independent from the political contingency and/or changes in the administration.
2. Extension through **networking:** one solution for growing demand with limited resources is to establish networks and agreements with local actors. The Support System has successfully integrated municipalities in its support network, who have agreed to provide the salary for a case worker in their community who is then trained and supervised by the Support System.
3. Composition of **staff:** diversity of professions enriches debate and approach to this kind of work.
4. The need for **well-trained** professionals: work with youth is demanding and cannot depend on the good will of volunteers only. Ensuring a good selection of case workers and an adequate remuneration is thus an important aspect. An interesting detail in this sense is that the Support System's experience of incorporating ex-fellows as case workers has not been a positive one. According to the project leaders the graduates were unable to adequately differentiate between the new fellow and their personal history. They turned out too demanding with new fellows, suggesting that "If I was able to make it, you can do it, too", without respecting the individual timing of the particular case.

A sunset over the ocean with a silhouette of a person in the foreground. The sun is low on the horizon, casting a warm glow over the water. The person's silhouette is dark against the bright light of the sunset.

# 11.

## Conditions and recommendations for replication

**Policies** and programs of social inclusion have to be adapted to the specific conditions of each country. However, the Support System for Protected Adolescents is replicable in other contexts, particularly within the widespread processes of judicial reform in the region. Some general recommendations can be made on this matter.

Some important recommendations are:

### 1. Flexibility and quality in the approach

- “The only permanent component should be change”: the mode of operation should be well defined, but able to be adapted to new circumstances.
- All staff should be well selected and remunerated: the individual problems are severe and can only be resolved through professionalism.

- The integration of staff who worked in institutions before should be avoided: their approach tends to be paternalistic and not aimed at self-determination and the exercise of rights.
- Staff training should be continuous and paramount.
- Create spaces for reflection and discussion from an interdisciplinary perspective, ensuring the integral treatment of all cases.

## 2. Adolescent at the center

- When evaluating admissions, keep in mind, that participation in the support system has to be a choice for the adolescent. If he/she chooses not to deinstitutionalize, his/her decision has to be accepted; there are other options for him/her.
- Respect the adolescent's timing and his/her decisions
- Let the young person determine his/her path: it is his life project, not that of the institution

## 3. The importance of companionship

- Let the traditional professionals (lawyers, psychologists, social workers) step aside: companionship is at the center of the project
- Case work should be performed by people without a professional background in the traditional disciplines (law, psychology, social work): let the case worker be an adult reference who communicates with the adolescent as such, not a professional who analyzes an object.

## 4. Integration through education

- Offer adequate training with adequate means for each case, letting the young person make the decision.
- Take advantage of all educational possibilities offered by the State (basic, secondary, tertiary education and vocational training) in order to integrate the young person.
- Enable the adolescent's integration through a stipend that covers living expenses.

## 5. Networking for efficiency

- Look for partners in the adolescent's immediate environment (municipalities, health centers, psychological care, educational entities, etc.)
- Build a network of public services the adolescent learns to use just like any other citizen
- Contact municipalities in order to find staff, evaluate, train and supervise his/her work; integrate municipal case workers into weekly team meetings.

### Documents for further reference

1. Canale, Verónica (ed.): Cuando el derecho no basta: la experiencia del Sistema de Sostén. Buenos Aires, 2005.
2. Experiences in Social Innovation: Sistema de Sostén para Adolescente Tutelados. Documento de descripción y análisis, Cepal, 2007. [http://www.eclac.cl/dds/innovacionsocial/e/proyectos/doc/SistemadeSosten.Argentina\\_esp.pdf](http://www.eclac.cl/dds/innovacionsocial/e/proyectos/doc/SistemadeSosten.Argentina_esp.pdf)

# Annex I

## Training in “Companionship for Social Integration” Units

### First Unit: Introduction

1. Institutional setting and historic development: Curaduría General de Alienados – Support System.
2. Convention on the Rights of the Child; Disability
3. Criminal Law for children and youth. Régimen Penal para Curaduría General de Alienados.
4. Law on Anti-conception and responsible motherhood; rights of the patient

### Second Unit: Psychological Area

1. The mental system: fundamental concepts. Freudian topics: introduction of the unconscious as a determinant of conduct. The construction of the mental system: structuring factors, destructuring factors, social determinations.
2. The evolutionary: a critique of the notion of evolutionary “stages”. Structure and event: the history of structures. Basic concepts of childhood, youth, adulthood and old age. Childhood and youth as socio-historic construction: subjective implications.
3. The bond. Basic concepts of bond. Structuring structure. Transferential bond: specifications. The model of companionship and transfer. The counter-transferential bond: its operationalization as a means for work.
4. The psychological and the institutional: impacts of institutional dynamics on subjectivity. Institutional processes as constituents of subjective evolution.
5. Treatment of specific problems (defined by the participants): e.g. addiction, eating disorders (bulimia, anorexia), suicide, new forms of subjectivity, etc.
6. Psychiatry: Psychopathologies and Mediation. Pharmacology. Addictions. Collateral Effects.

### Third Unit: Social Area

1. Current social situation in Argentina. Neoliberalism and social policies. Unemployment and precarious work arrangements.
2. New forms of poverty. Social needs. Emerging social problems in Argentina from the 1990s onwards.
3. Family and other ties. Family survival strategies and consumption. Basic problems of households.
4. Alternative intervention models. Social networks. Inter-institutional articulation. Social capital.

### Fourth Unit: Case work

During 4 classes (12hrs) the following subjects will be treated:

1. Case studies: Clinical history details. Judicial file details. Evaluation of the patient. Interviews with treating professionals.
2. Role play.
3. Interdisciplinary articulation.
4. Writing reports.
5. Graduation prospects. Creating a retaining network.
6. Follow-up.