

## Joint Position on Large Foster Care

Adopted March 19, 2024

March 19th, 2024 - The Global Coalition on Deinstitutionalization adopts a Joint Position on the use of large foster care as a form of institutionalization of children. This position concerns the use of large foster care on a broad scale as a matter of public policy and aims to promote an understanding of the right to family life for children that is in line with the UN CRPD and the UN Guidelines on Deinstitutionalization, Including in Emergencies.

In most of the countries across the world, “deinstitutionalization” reforms have consisted of the transfer of residents of large institutions to small group homes, which according to the Guidelines on deinstitutionalization, including in emergencies, are unequivocally considered to be institutions. In recent years the term “small group homes” is being replaced with alternatives such as “family-type care” and - most recently in Ukraine - “large foster care” as yet another form of group placement for children. It is not the terminology but the presence of defining elements of institutionalization that differentiate whether a living arrangement fits within the definition of an institution.<sup>1</sup>

**“Large” foster care, where large numbers of unrelated children are placed in one household, must not be considered a form of “family-based” care and is not acceptable as a component of state policy.<sup>2</sup>** Such placement inevitably results in a lack of nurturing and caring environment for children and is especially dangerous for children with disabilities who may need individualized and high support.<sup>3</sup>

**Prioritizing investment in buildings for group care rather than support for individual families and services undermines the core values of the right to live in a family and in the community.** Furthermore, building new houses allocated to foster carers with many children has the potential to put in place negative incentives which could lead to abuse and exploitation of children.

**Global Coalition on Deinstitutionalization calls on governments and donors to:**

- **Refrain from investments in any form of group placement because it doesn’t allow for individualized care for children.**

A growing body of scientific research shows that all children need families for their healthy emotional, cognitive and physical development. In a comprehensive review of the research literature, an international consensus statement adopted by researchers on child welfare concluded that “[g]roup settings should not be used as

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<sup>1</sup> Paragraph 14-18, CRPD/C/5: Guidelines on deinstitutionalization, including in emergencies.

<sup>2</sup> Ibid. Para 43-44

<sup>3</sup> Ibid. Para 46

living arrangements, because of their inherently detrimental effects on the healthy development of children, regardless of age.”<sup>4</sup>

- **The right to family life is only fulfilled for children when they grow up in an environment where they can form stable relationships with an emotionally committed adult care-giver, and every effort should be made to avoid multiple placements of children who do not live with their family of origin.**<sup>5</sup> It is the duty of the State Party to ensure that children are not deprived of this right and if there is any failure to do so, it amounts to violation of basic human rights.
- **Prevent and avoid undermining the universal right of all children to live and grow up with a family based on situations of family crisis and breakdown.** States must invest in emergency support systems for extended kinship or foster care so that any child without parental care or experiencing abuse in the home can be immediately placed in another family setting that is safe and adequate until permanent family placement is ensured.
- **Article 23 (4) of the Convention protects against the separation of children from their parents on the basis of a disability of either the child or one or both parents.** States parties should provide parents with disabilities with support and reasonable accommodation to prevent their children from being placed in institutions, and should put in place inclusive child-protection systems.
- **Develop a full range of necessary services that support families to cater for the individual needs of each child and strengthen support systems.** These services should be made available to biological, adoptive and foster families alike who all may need additional or specialized support to address individual needs of children with disabilities. Training of professionals, including child-protection professionals, on the human rights model of disability is key to preventing situations in which families are advised or encouraged to place their child in an institution.<sup>6</sup>
- **Strengthening of inclusive informal support systems such as biological, adoptive and foster families, peers, friends, neighbours etc.** should be considered so that the social capital of children with disabilities is improved and supports their living in the community.
- **Develop and ensure access to support services in the community, including personal assistance, as well as peer support, for young persons with disabilities in their transition to adulthood.** Young persons with disabilities must also be provided with opportunities to choose where and with whom to live, in line with Article 19 of the CRPD, and taking into consideration that independent living arrangements are

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<sup>4</sup> Mary Dozier, Joan Kaufman, Roger Kobak, Thomas G. O'Connor, Abraham Sagi-Schwartz, Stephen Scott, Carole Shauffer, Judith Smetana, Marinus H. van IJzendoorn, and Charles Zeanah, Consensus Statement on Group Care for Children and Adolescents: A Statement of Policy of the American Orthopsychiatric Association, 84 American Journal of Orthopsychiatry 219-225 (2014).

<sup>5</sup> Families may take different and diverse forms and may include a broad array of relationships, including married and unmarried parents, single parents, same-sex parents, adoptive families, kinship care, kafalah, sibling care, extended family, and substitute families or foster care. (Paragraph 44, CRPD/C/5)

<sup>6</sup> Paragraph 51, CRPD/C/5



defined in the CRPD Committee’s General Comment No. 5 as “life settings outside residential institutions of all kinds”.<sup>7</sup>

Find out more about the Global Coalition on Deinstitutionalization: <https://gc-di.org>

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<sup>7</sup> CRPD/C/GC/5