LEAVING INSTITUTIONAL CARE:
ANALYSIS OF POLICIES,
INSTITUTIONAL FRAMEWORK AND PRACTICE

October 2015
This report was prepared by the NGO “Juventas”, with the support of the UNICEF consultant Anita Burgund and UNICEF Montenegro.

This report was developed as part of the “Continuation of the Child Care System Reform” implemented by the Ministry of Labour and Social Welfare and UNICEF with the support of the European Union (IPA 2014). Views expressed in this report do not necessarily reflect the opinions of the Ministry, UNICEF or the EU. The authors alone take full responsibility for the content of the report.

**Report prepared by: Itana Kovacevic, Ivana Vujovic**

Research team included the following members: Itana Kovacevic, Marija Kovijanic, Martina Markoc, Tijana Cegura, Aneta Spaic, Milorad Markovic, Marija Stajovic.

Technical support: Dragana Stojic, Jelena Omeragic, Marjana Krsmanovic.

*This report was originally prepared in Montenegrin language. This is unofficial translation.*
INSTEAD OF A PREFACE

We wish to extend our gratitude to the UNICEF consultant and international expert, Anita Burgund, for her guidance and great support in the preparation, methodology development, processing and interpretation of data, as well as report writing. We also wish to thank the UNICEF team for all the support throughout the research process: Nela Krnic-Brkovic, Ida Ferdinandi and Milena Kariski. We also thank the independent advisor in the Ministry of Labor and Social Welfare, Svetlana Sovilj, who provided all the necessary support for the field research. We extend our gratitude to the Children’s Home “Mladost” in Bijela, Elderly Care Home “Grabovac” in Risan and the Elderly Care Home “Bijelo Polje” in Bijelo Polje, for providing premises for the organization of focus groups. We also wish to thank the representatives of the institutions who accepted the invitation to attend the consultative meetings and dedicated some of their time to discuss this issue.

We are grateful to the professionals from the Centers for Social Work, Children’s Home “Mladost” in Bijela, NGO “Centar za prava djeteta”, NGO “Ruka prijateljstva”, NGO “Djeca prije svega” and NGO “Juventas”, for the participation in focus groups and openness to share with us their experiences in working with youth preparing to leave or youth who left institutional care and for the expressed sincere desire to improve practice and work with this group of youth.

We are particularly grateful to the youth preparing to leave and the ones who left institutional care, who trusted us and shared with us their life experience, ideas and hopes, as well as their views of possible changes. We hope that their voice will reach the decision makers and contribute to quality improvements in the life of youth preparing to leave and leaving institutional care.

NGO “Juventas”
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive summary</td>
<td>4</td>
</tr>
<tr>
<td>Introduction</td>
<td>7</td>
</tr>
<tr>
<td>Methodology</td>
<td>11</td>
</tr>
<tr>
<td>Discussion</td>
<td>16</td>
</tr>
<tr>
<td>Recommendations</td>
<td>31</td>
</tr>
<tr>
<td>Bibliography</td>
<td>39</td>
</tr>
<tr>
<td>Annex</td>
<td>43</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Children without parental care are particularly protected by a set of national and international norms until they reach the age of majority, that is, until they turn 18, and the state is obliged to provide to each one of them individually full legal, social, health care, emotional security, and to ensure their access to relevant educational, cultural, social, sports and recreational services, in a family like environment, while observing the best interest of the child. By the age of majority the state is obliged to ensure the best possible preparation for independent living, as well as certain support in the transition period. For the purpose of support during the transition period, youth who were children without parental care in Montenegro enjoy particular rights guaranteed by a set of laws in the area of social and child protection, as well as health care, but it proved to be insufficient in practice. In Montenegro, as well as in many other countries, financial independence of youth is delayed (see Ward 2008), i.e. it does not start with the age of majority, and the high youth unemployment rate¹ contributes to this situation, as well as the inadequate financial support of the state during studies, thus youth rely significantly upon the support from their parents/ guardians. Having in mind that the necessary support in the transition period should not be reduced to financial support only, the limited spectrum of services available to youth who were in formal care as children without parental care puts this category in an unequal position with the general youth population.

The reform of the social and child welfare system in Montenegro, implemented by the Ministry of Labor and Social Welfare, was intensified in 2011, in cooperation with UNICEF, UNDP and with the financial support of the EU (IPA 2010, IPA 2014). It rests upon a holistic and systematic approach to social and child welfare. The goals of the child welfare system reform include: harmonization of the legal and strategic framework with international standards, introduction of quality standards and mechanisms to monitor their implementation, strengthening of the institutional framework and capacity building for professionals in the system of social and child welfare, promotion of cross-sector cooperation, transformation of residential institutions for children and development of family and community based services for children and vulnerable families. With regard to children and youth without parental care or at risk of separation from the family, one of the important principles of the reform is the principle of prevention of institutionalization and availability of services in the least restrictive environment. Furthermore, an important aspect of the reform is the preparation of youth for leaving institutional care and creation of prerequisites to ease the transition process towards independent living and social inclusion.

In view of the above, in 2014, with the consent of the Ministry of Labor and Social Welfare, and in cooperation with NGO “Juventas”, UNICEF initiated a research project “Leaving institutional care: analysis of policies, institutional framework and practice”. The purpose of this project is to understand the life circumstances of youth leaving institutional care and challenges they face after they leave, as well as to understand the manner in which they overcome such challenges, and based on that to develop recommendations, primarily for the Ministry of Labor and Social Welfare, as well as other relevant ministries, on how to improve the position and protection of rights of youth leaving institutional care. This research included three levels of analysis, defined in three goals:

¹ Data from the second quarter of 2015 say that the unemployment rate among youth in the age group 15-24 is 36.7%. MONSTAT, Labor Force Survey, pg. 1, 5, and 6, available at: http://www.monstat.org/userfiles/file/ars/2015/2/Saopstenje%20-%20ARS%20II%20KVARTAL%202015.pdf
• Identifying shortcomings in the legal and strategic framework with regard to inclusion, protection and support to youth leaving institutional care;
• Understanding challenges in practice during the preparation and provision of support to children and youth leaving institutional care;
• Contributing to the understanding of challenges that youth preparing to leave the Children’s Home “Mladost” in Bijela are facing, as well as the ones who have left it (based on their experience).

This research was implemented in the period from September 2014 to September 2015. Qualitative methodological approach was used in order to create a comprehensive understanding of the situation, as well as to extract significant data in all three levels. Research methodology included the analysis of relevant international and national legal and strategic documents and qualitative field research that covered youth who left institutional care in the past 7 years, youth preparing to leave institutional care and professionals from the public social and child welfare institutions (centers for social work and Children’s Home “Mladost” in Bijela), as well as NGO experienced in working with youth who left institutional care. Methods used in the qualitative field research included in depth, semi-structured interviews with youth who left institutional care and focus groups with youth preparing to leave institutional care and with professionals from the centers for social work and Children’s Home “Mladost” in Bijela. Research included 18 young persons who left institutional care, 8 young persons preparing to leave institutional care and 25 professionals from the centers for social work, Children’s Home “Mladost” in Bijela and the NGOs. The research also involved 8 consultative meetings in order to better formulate the recommendations.

In this research special attention was given to the opinions and views of young people leaving care. Young people who aged out of institutional care point to both positive and negative aspects of institutional care. Positive aspects include the feelings of being protected and safe, of having the basic survival needs met, and in the case of some of them, of having established a close relationship with at least one adult person in the Home. Negative aspects include the rigid organization and control, with insufficient attention paid to the individual needs and interests of children and young people. However, it is not only the negative but also some of the positive aspects (e.g. having the basic survival needs met) which have contributed to their insufficient preparation for independent living. Their insufficient preparation for independent living is reflected in the challenges they have listed, as follows: lack of trust in the possibility for obtaining support when faced with problems, lack of possibility and opportunity for quality education and professional advancement, problems concerning housing, employment (finding and maintaining employment), health protection etc. The problems that these young people are faced with coincide with the identified shortcomings in the legal and strategic framework, as well as insufficiently developed procedures and support services. In the normative and strategic terms, the adoption of the Plan for transformation of the Public Institution Children’s Home “Mladost” in Bijela in July 2015 is assessed as a positive step; this document has a separate part that deals with the preparation of youth for independent living. Important progress in this respect was also achieved through the adoption of a set of rulebooks. Although legal regulations have improved, normative framework practically does not recognize youth preparing to leave or youth who left institutional care as a separate group for whom it is necessary to define particular services in order to ensure easier exercise of their basic human rights, primarily social and economic rights. This is especially obvious in the area of employment, education, health care and access to social welfare services. Although the ongoing social welfare reform is very dynamic, relevant social welfare services and housing support services are available in few local communities. Psychological and social support services are very limited.
Youth participation, identification of their strengths and potential need to be encouraged in the development of local and national services (e.g. peer support), as well as plans and strategies relevant for youth.

As listed at the end of the report in Recommendations, in the upcoming period it is necessary to invest additional efforts in the process of preparation and empowerment of youth for independent living, and to establish adequate policies and services focusing on the transition period, primarily in the following areas: housing, employment, continuation of education, health care, financial support, psychological and social, as well as legal support. This research raised new issues, as well, which resulted in the proposal of new topics for future research, with the aim to find the best solutions when it comes to support for persons who were children without parental care.
1. INTRODUCTION

Understanding the life circumstances of young people who have left the system of formal care and the factors affecting their successful emancipation became an important subject in the professional circles in recent years. The goal is provide adequate social inclusion to these young people, facilitate the transition process and enable their active participation in shaping their own future. Many studies, as well as articles that include an overview of existing international research, point to challenges that this group of youth are facing and that complicate their transition process (Tweddle 2005; Flis 2012; V. Stein and Slumnescu 2012; Dewar and Goodmen 2014). These studies indicate a number of challenges: departure from the institution determined based on the date of birth, rather than the assessment of the readiness of the young person; lack of family support; limited or insufficient financial support; unemployment; volatility of accommodation; insufficiently developed life skills; inadequate and insufficient education; low self-esteem; emotional "scars" caused by the trauma of abuse and neglect during childhood.

In some research (Tweddle 2005; Stein and V. Slumnescu 2012) focus is given to the characteristics of youth leaving the system of formal care, which make them especially vulnerable: they often have a lower level of education (they did not complete high school); they are more often unemployed, and when they are employed, more likely to have lower incomes; more likely to live below the poverty line; more likely to become parents at an early age; more likely to have had experience with the criminal justice system; more likely to have experience of homelessness; more likely to live in unstable housing conditions; often depend on the support of social protection system; more likely to have mental health problems; more likely not to have health insurance, and under an increased risk of drug abuse. Some studies (Ontario Association of Children's Aid Societies in 2009, Stein 2005) show that unlike their peers, who can rely on family support in the process of becoming independent and making important decisions, and who have the opportunity to learn from their own “mistakes and failures”, young people who came out of the formal care usually do not have that option. They usually have just one chance to successfully adapt to the new accommodation, the new job and the new environment, which makes the process of transition accelerated and shortened. The aforementioned indicates that youth leaving the system of social care represent one of the most vulnerable social groups, especially during the transition period (Stein 2006; Burgund and Žegarač 2014).

In addition to the studies indicating the challenges and negative outcomes for youth leaving formal care, there are studies that show examples of successful transition and identify the circumstances that contributed to such an outcome. Factors affecting the successful integration in the social environment are: the completion of education during alternative care and support in continuing education; permanence of accommodation; increased access and availability of financial assistance; continued supportive relationship with an adult made during the stay in the alternative care facility; support in finding employment; individualized support during the transition and after the transition process (Tweddle 2005; Osterling and Hines 2006).

Based on the analysis of existing literature and studies of good practice in support of youth who have left the formal care, Dewar and Goodman (2014) identify support programs in five areas:

1. Programs focused on establishment and strengthening of quality relations with the family are focused on strengthening and promoting the attachment between family
members, mediation in conflicts within the family, as well as the promotion of parental efficiency (Carter 2001; Goodhind, Schelbe and Shook 2011);

2. **Programs of peer support and mentoring** include: peer support and mentoring young people who were in the system of formal care and mentoring by an adult with whom they established a close relationship during alternative care (Halvorsen 2004; Shook 2011);

3. **Programs of support in education** include “one on one” support during university education; promotional programs and informing youth about the offers of schools, universities and possibilities for additional financial assistance and support (in the form of scholarships) before their decision to continue their education;

4. **Programs that ensure stability of accommodation/housing** relate to the provision of accommodation for a certain period of time with continuous individualized monitoring of the young person, as well as training aimed at the adoption of life skills;

5. **Programs related to employment** include the preparation of young people for employment while they are still in formal care, in the form of: writing CVs, developing job interview skills, specialized training and job training, as well as assistance in seeking employment. Programs that involve possibility to talk to the employment counselor, which provides support in the process of seeking employment, as well as during employment, proved to be successful.

Some studies point to the importance of involving young people in the so-called **leisure activities outside the social welfare system** (sports, arts and other activities, depending on the talent and/or interests of the child/young person) with monitoring by supportive adults. These programs affect the development potential of young people, increase self-esteem, promote mental health and represent an opportunity to establish relations outside the social protection system (Gilligan 1998).

### 1.1. **RESEARCH IN MONTENEGRO**

Reform of the system of social and child welfare in Montenegro, implemented by the Ministry of Labor and Social Welfare, has been intensified in 2011 in cooperation with UNICEF, UNDP and with the financial support from the EU (IPA 2010, IPA 2014), with a special focus on children and youth without parental care or at risk of separation from their families. This reform initiative is based on a holistic and systematic approach to social and child protection and influences the different levels of the system, including: harmonization of the legal and policy framework with international standards, introduction of quality standards and mechanisms for monitoring their implementation, strengthening of the institutional framework and the capacity of professionals in the system of social and child welfare, promotion of inter-sector cooperation, transformation of residential institutions for children, and the development of family based and community based services for children and vulnerable families.

One of the principles of the reform of the system of social and child welfare in Montenegro is the principle of prevention of institutionalization and availability of services in the least restrictive environment (Article 7 of the Law on Social and Child Care 2013; also see the Strategy for Social and Child Welfare from 2013 to 2017). This is consistent with numerous studies (Berens and Nelson 2015; Eurochild 2012; Browne 2009), which point out that institutional care is not adequate from the perspective of rights and developmental needs of the child. The negative features of this type of
placement are: insufficient individualization of treatment, rigid routine of life in the institution, insufficient opportunities for participation of children and youth and social distance that lead to delays in physical, cognitive, social, emotional and psychological development of children. Thanks to the reforms, the number of children placed in institutions in Montenegro and Montenegro children in institutions in neighboring countries - Serbia and Bosnia and Herzegovina, has declined by 34% in the period from 2010 to 2014. In the Children’s Home “Mladost” at present there are 94 children, while five years ago there were 154 children. At the same time, efforts have been made to expand foster care, especially non-kin which was very underdeveloped in Montenegro, and it was all done in accordance with the Strategy of development of foster care in Montenegro 2012-2016. In 2010, there were 313 children in foster care, whilst there were 373 in 2015, which represents an increase by 19,17%.

Based on the goals and activities of the reform of the system of social and child welfare, a very important element is the preparation of youth for leaving formal care and creation of conditions that will ease the process of transition to independent living and social inclusion. However, in Montenegro there were no aggregate data, no qualitative and quantitative research related to this group of youth and the challenges they face in the process of emancipation. Therefore, in 2014, UNICEF, in cooperation with the NGO “Juventas” initiated the research "Leaving institutional care: analysis of policy, institutional framework and practice", and in agreement with the Ministry of Labor and Social Welfare. The purpose of the research is to understand life circumstances of youth leaving institutional care, the challenges they face after departure and ways to overcome them. The research was aimed at developing a set of recommendations for the Ministry of Labor and Social Welfare on how to improve the rights of youth leaving institutional care, with a special emphasis on those who have left the only institution specialized for placement of children without parental care in Montenegro / Children’s Home "Mladost" in Bijela. The research did not include youth leaving foster care, which deserves to be the subject of a future research, although it is assumed that a many of the recommendations related to the process of independence of youth and support after leaving the institutions can be applied to the youth preparing to leave or youth who left foster care. The research was qualitative, and included three levels of analysis defined by the following three objectives:

- Identification of deficiencies in the legal and strategic framework with regard to inclusion, protection and support to youth leaving institutional care;
- Understanding the challenges in practice during preparation and provision of support to children and youth leaving institutional care;
- Contributing to the understanding of challenges that youth preparing to leave the Children’s Home “Mladost” in Bijela are facing, as well as the ones who already left it (based on their experience).

The study was carried out by the research team from the NGO “Juventas” - 2 lawyers (legal framework analysis), 4 social workers and a psychologist, who are specially trained for the use of research techniques. Qualitative methodology and data collection instruments, analysis and interpretation of data were all developed and implemented by the research team, with significant support from the UNICEF consultant and international expert in this field, Anita Burgund. The UNICEF Montenegro team provided additional expert support through guidance and provision of comments.

---

2 Institute for Social and Child Protection, presentation: The deinstitutionalization process in Montenegro, Mr Mirjana Popović, 7/10/2015.
3 Ibid
In the following chapters, this report presents the course and detailed findings of the research. The second chapter gives an overview of the methodology used for the overall research, with special emphasis on the methodology of fieldwork. The last two chapters are dedicated to the discussion of the entire research and recommendations on how to improve practices and support to youth preparing to leave or youth who left institutional care.
2. METHODOLOGY

The survey methodology encompassed three levels of analysis:

1. **Legal framework**: Analysis of relevant international and national legal and strategic documents, by reviewing international and national documents;

2. **Professionals**: Analysis of practical challenges in preparing and providing support to youth leaving institutional care, through fieldwork / qualitative research concerning the perception of the professionals from the centers for social work, Children’s Home “Mladost” and NGOs, who have had the experience in working with this group of youth;

3. **Youth**: Analysis of challenges youth are facing while preparing to leave the children’s home, through fieldwork / qualitative research, in order to learn about the personal experience of youth preparing to leave or youth who already left institutional care, how they perceive the challenges they are facing, how they overcome them and how they perceive the available support.

In the initial phase of the survey, the aforementioned three levels of analysis were observed individually to some extent, but in a complementary manner. Guides for qualitative survey amongst professionals and beneficiaries (youth preparing to leave or youth who left institutional care) focus on the initial results of the analysis of legal and institutional frameworks. Based on the obtained results of the analysis of the other two levels, the scope of analysis of relevant and available legal documents has been extended. This enabled cross-checking of data of the aforementioned three levels of analysis in discussion, with certain limitations, based on which recommendations have been created for the improvement of legal and institutional framework and the practice itself, to the benefit of the target group of this survey.

The analysis of legal and strategic documents included presentation of relevant international documents ratified by Montenegro, and international guidelines on this subject matter, as well as the analysis of legal act and secondary legislation. In the analysis of legal and strategic frameworks, the normative legal method is dominant, with particular application of systematic interpretation in order to identify *de lege lata* and introduce *de lege ferenda* solution to meet the needs of this category of beneficiaries and improve the quality of their living in a more systematic and consistent manner. The comparative law method, which is customary and necessary for this type of survey, was used to try to establish the level of harmonization of national legal framework with international documents. Special attention was paid to the international guidelines, which, although part of the so-called “soft law”, may guide further development of national law in this area and make it more sensitive to the needs of this population group.

Fieldwork / qualitative research which covered the other two levels of analysis included: youth who left institutional care in the past 7 years, youth preparing to leave institutional care and professionals from public institutions for social and child welfare (centers for social work and Children’s Home “Mladost” in Bijela and NGOs), experienced in work with young people who have left institutional care.

**In-depth, semi-structured interview** method was used in the field research to survey young people who have left institutional care. In-depth, semi-structured interview was selected because...
it gives the opportunity to young people to discuss their personal experience and in that way to point out the challenges they have faced and thus contribute to the improvement of the status and the position of youth leaving the institution. A focus group with the topic: “Youth in the process of preparing to leave institutional care” was organized with the youth preparing to leave institutional care. Focus groups with the topic “Practice in working with youth leaving the Children’s Home “Mladost” in Bijela” was organized with professionals working in the social and child welfare institutions (centers for social work and Children’s Home “Mladost” in Bijela) and NGO representatives. Focus groups, as a method for collecting data, have been selected because they give the opportunity of gaining insight into the perception, views and feelings of youth preparing to leave the institutional care through a guided discussion and by exchanging opinions, on the one hand, and professionals experienced in working with young people preparing to leave or who have already left institutional care, on the other. Data collection protocols can be found in Annex I.

In order to obtain recommendations that could be implemented, additional consultative meetings were held with representatives of the following institutions of the system: Ministry of Labor and Social Welfare, Ministry of Health, Bureau for Social and Child Welfare, Vocational Education Center, Resource Center “1. jun”, Resource Center “Ljubovic”, University of Montenegro, University of Donja Gorica.

2.1. FIELD RESEARCH SAMPLE AND RESEARCH PROCESS

The field research included three sub-populations: youth who have left institutional care, youth preparing to leave institutional care and professionals of the centers, Children’s Home “Mladost” in Bijela and NGOs.

The group of youth who have left institutional care is hard to reach, so contacts were established in different ways. Contacts were partly provided by relevant NGOs and institutions. In order to increase the number of youth, the snowball method was also used (Baćak, 2006), which enabled extension of the sample. By using this method, researchers motivated young people to disseminate information about the implementation of the survey and to obtain possible consent through established acquaintances. Due to the difficulties in scheduling and carrying out the interviews, the sample was expanded from youth who left institutional care in the past 5 years to youth who left it in the past 7 years, in order to ensure that voices and experiences of as many young people as possible are included in the survey. Difficulties in scheduling and carrying out the interviews sometimes involved a long waiting period from scheduling to the actual implementation of the interview, failure of the individuals to respond to the previously scheduled interviews and limited availability of young people for interviews. This situation that the researchers faced may represent one of the challenges in monitoring and providing support to youth after leaving institutional care.

The sample included 18 young people who left institutional care after being accommodated at the Children’s Home “Mladost” in Bijela, being children without parental care. 6 young men and 12 young women were interviewed, between the ages of 19 and 27. Out of 18 people included in the survey, 12 have left institutional care in the past 5 years. The age that youth gave as the age at which they left institutional care varied from 18 to 22. As for the place of residence of the youth who participated in the survey, at the time of conducting the survey 10 lived in Podgorica and the rest
lived in other Montenegrin cities. Their educational structure was diverse, and three of them were attending university.

The focus group was attended by 8 young people preparing to leave institutional care (5 males and 3 females), between the ages of 17 and 20. The group was heterogeneous in terms of personal characteristics, education and time of planned leave from the Children’s Home “Mladost” in Bijela.

The sample of professionals providing social and child welfare services to children/youth without parental care by working in public institutions included individuals from: the centers for social work (hereinafter referred to as: centers) and the Children’s Home “Mladost” in Bijela (hereinafter referred to: the Children’s Home). Three focus groups gathered professionals from three regions of Montenegro – northern, central and southern, with 21 professionals. In addition to the professionals from the aforementioned institutions, 6 NGOs were identified which are working directly or indirectly with youth preparing to leave or youth who left institutional care. Two were not able to attend the focus group that was specifically organized for the non-governmental sector. The focus group structure is presented in Annex II.

Certain limitations of this survey are also worth mentioning in order to properly process the obtained data. The survey covered an adequate sample of youth preparing to leave or youth who left institutional care (12 out of in total 41 who left Mladost in the past 5 years, i.e. 18 out of in total 57 who left Mladot in the past 7 years, and 8 out of in total 13 who are preparing to leave institutional care), so the results cannot be generalized for the entire population of this group of youth. The data does not constitute statistical, quantitative overview of the situation, but rather a quantitative analysis enabling in-depth understanding of the phenomenon. The participation of young people coming from central part of Montenegro was predominant, so it is not possible to compare results and outcomes related to the place of residence; additionally, more girls than boys participated in the research. Although services provided by the NGO Juventas include work with vulnerable categories of youth, among whom there are young people who left the institutions, they were not available to participate in the research, so such experiences are less represented.

The survey results give an overview of how young people and professionals perceive and understand challenges, support and possible solutions to improve the process of gaining independence of young people and the support after they leave; however, they do not include an analysis of beneficiaries’ personal files or care plans, which would offer a more objective insight into planning and quality of support to youth in the process of preparing for independence. The obtained results cannot be generally applicable to youth leaving foster families, although a certain part of the recommendations from this survey will relate to all youth leaving formal care. The latter limitation represents a call for further research that would allow for deeper understanding of these phenomena.

2.2. ETHICAL ISSUES OF FIELD RESEARCH

The research “Leaving the institutional care: analysis of policy, legal framework and practice” raised a number of ethical questions to which special attention was given throughout the research process, due to particular vulnerability of target groups involved in the research, but also according to the
UNICEF guidelines on ethical research. Complying with ethical standards was a great challenge, because Montenegro does not have a special ethics committee to issue consent for conducting social and psychological surveys. Methodology and research protocols have been created with the support of an international expert hired by UNICEF and were presented to the UNICEF and the Ministry of Labor and Social Welfare teams, and they approved the initiation of the research.

While setting up the methodology, special attention was given to the selection of data collection methods, wording of questions, procedure of establishing contact with youth who left institutional care, obtaining informed consent for participation in the survey. The main principles, defined in advance, were the principle of respect for each participant’s autonomy and dignity and the confidentiality principle.

On-the-spot survey was carried out by researchers who were involved in the creation of the entire methodology, and with their previous professional experience and skills they ensured confidential and respectful relationship with the participants. Throughout the survey, they were guided by the ethical principles of their professions (psychologist and social worker) while avoiding potential conflict of interest. During fieldwork, the researchers made sure to develop a respectful and confidential relationship with the participants, adapt to the context and individual participants and pay attention to the power imbalances between the researcher and the participant. A special part of the fieldwork was dedicated to detailed introduction of the research, method in which it is conducted, as well as confidentiality of data and their coded use in interpretation. Written and oral consent of each young person was requested for participation in the research. Compliance with confidentiality and privacy principles was ensured throughout the process of data collection; a pleasant interviewing area was provided, where the participants had a relaxed atmosphere for discussion, without disturbance by others. Refreshments were provided during the interviews and focus groups, and the young people received financial compensation for travel costs if travel was required to the interview venue.

In data processing, researchers who conducted interviews and focus groups with the youth made transcripts of interviews and encoded all personal identity data. The data were protected with passwords. In data processing, anonymity of persons was preserved to the extent possible, considering the small number of young people leaving institutional care. By applying the aforementioned procedures throughout the research process, we have tried to minimize the potential negative consequences of participation in the survey. On the other hand, we see the benefits of this research in the improvement of the position of youth leaving institutional care.

2.3. FIELD WORK AND GENERAL IMPRESSIONS OF THE RESEARCHERS

Fieldwork lasted from February to June 2015. Interviews with youth who have left institutional care were preceded by phone calls to the participants and/or organization of an initial meeting to introduce all details of the survey (purpose, goal, method of work, privacy and confidentiality principles, interview topics). After that, the time and place of the interview were

---

4 UNICEF’s official procedures for ethical standards in research, evaluation, data collection and analysis entered into force in April 2015, which is after the start of this research, but the vast majority of standards have been met.
agreed upon. In the first meeting, the researchers noticed the readiness of the young people to talk about their life experience with no special requests. They reacted with insecurity to the proposal of recording the conversation, but it faded rapidly, so they openly discussed their experiences during the interview. Researchers had the impression that questions and guidance during the interview gave young people the opportunity to tell their stories and, in a way, to integrate their experiences. The impression was that it was particularly invigorating for the young people to speak about their positive experiences related to their lives and to emphasize what they were proud of. At the end of each conversation, all young people stated that they felt comfortable during the interview, that the atmosphere was relaxed and that they could speak for hours. At the very end, some of them expressed that they expected their experience to contribute to the improvement of the conditions of other young people in similar situations. Average interview lasted for 75 minutes.

In cooperation with the Ministry of Labor and Social Welfare a focus group with youth from the Children’s Home was organized. An area for undisturbed work with children was designated within the Children’s Home. The Children’s Home personnel mobilized a group of young people preparing to leave institutional care. Before the beginning of the focus group, the researchers and the youth spent time in direct communication, which had a positive impact on establishing mutual trust. Researchers presented the research, its purpose and the method of work during the focus group. Answers given by youth to general questions were short, but they reacted positively to additional questions and described personal experiences more openly, with concrete examples. The communication during discussions was based on mutual respect. Young people found the conversation interesting and the atmosphere pleasant, which was supported by their statements that time went fast, although they initially thought that they would not be able to stand discussing for so long. The focus group was not recorded – answers were written down on a flip chart and the researchers took notes. The focus group lasted for two hours.

Focus groups with professionals from the centers, the Children’s Home “Mladost” and NGO representatives started by presenting: the overall objective of the research, method of work during focus group, topics to be discussed, rules of work and duration of the focus group. At the beginning, participants in the focus groups stated that they were pleased that the issue of youth leaving institutional care was tackled. Such an opening was very important for the researchers, because they had approached the moderation of the focus group with the assumption that the participants would be open in presenting their opinions and views. The focus groups were implemented in a pleasant atmosphere. The first question on the role of professionals in the work with this group of youth initiated a conversation filled with concrete examples from practice and the participants complemented each other. They spoke openly of their feelings during the work with this group of youth, as well as of the challenges they were facing. At the end of the focus group, participants stated that the group conversation very useful and that the exchange of opinions, dilemmas, feelings and good practices examples served as a professional encouragement for them. The impression was that thematic group discussions among professionals should be organized in the scope of the support to their regular activities with the aim of further professional strengthening of these professionals. Average focus group lasted for two hours.

---

2.4. METHODS OF FIELD RESEARCH DATA PROCESSING
The method used to process field research data was topic analysis focusing on the preselected topics and categories from the developed research protocol. All interviews and focus groups were coordinated according to the selected topics. Additional categories were developed, on the basis of the responses given by the participants.
3. DISCUSSION

This chapter sums up the experiences and opinions of young people and professionals on issues relevant for assuming self-reliance and proper social inclusion, against the policy, legal, and institutional framework.

3.1. RESIDENTIAL CARE AND ITS IMPACT ON INDEPENDENCE

The UNCRC envisages a child may be separated from his or her parents only “when competent authorities subject to judicial review determine, …, that such separation is necessary for the best interests of the child“, and that the state is responsible to provide special protection and assistance in line with domestic legislation, and provide for alternative care for children. The UN Guidelines for the Alternative Care for Children stipulate that where large residential care facilities remain (which is the case in Montenegro), the state should actively pursue an overall deinstitutionalization strategy, with precise goals and objectives, which will allow for their progressive elimination.

Montenegro is undergoing a reform of its social and child protection system, intensified over the last several years in line with international standards. An important step in this direction was the adoption of the Law on Social and Child Protection (LSCP), underpinned by the principles of “prevention of institutionalisation, and availability of services for children in a less restrictive environment” stipulating that a child is placed in an institution only after the CSWs have exhausted all other options (support to primary family or placement in another family), with mandatory review of the placement decision every 6 months (Art 70). Moreover, the LSCP envisages the transformation of residential institutions with a view to supporting self-reliance. Such reforms already produce results, seen in the decrease of the number of children on residential care in the largest child care institution in Montenegro, the Children’s Home “Mladost”, Bijela, as well as the adoption of the Transformation Plan for this institution.

The present survey findings confirm the significance of the deinstitutionalisation policy within the overall social welfare and child protection system reform, as regards the legal framework, and both the professionals and the young people about to leave or after leaving care who took part in the research spoke of various negative aspects of residential care and its adverse impact on assuming self-reliance. Speaking of the features of institutional care, some professionals indicate that the existing clear and rigid organisation and control is a necessity to ensure safety and protection, and to put in place the assumptions to meet the basic needs of a large number of children and young people. At the same time, such an organisation puts children and young persons in a position of passive recipients, making the process of assuming independence, self-reliance, an active role in creating own future, and integration in the new environment more difficult.

„Our children have everything ready-made, basically we do everything for them, which is not good at all.“ (a professional)

Care leavers cite both the positive and the negative sides to residential care. Among the positives, they include feeling protected and safe, being provided with the basic necessities, and having a close relationship with at least one adult within the Children’s Home. Among the negatives, they report the rigid organisation and control, with less focus on individual needs and interests of children and young people. They also note that not only the negative, but also some of the positive aspects (like providing for basic necessities) jeopardized their preparedness for independent and self-reliant living. This is reflected in some of the aftercare challenges they report, including: lack of trust in receiving support when encountering problems, lack of opportunities and options for better quality education and professional advancement, housing issues, employment (first employment and job retention), health care, etc.

This confirms that the deinstitutionalisation process that already commenced should continue, and while doing so it is important to improve current conditions of residential care to better prepare young people for social inclusion.

### 3.2. PREPARATION FOR INDEPENDENT LIVING

**Leaving care planning**

The UN Guidelines for the Alternative Care define aftercare support (Art 131-136), including the importance of preparations for assuming self-reliance. It is crucial to develop aftercare programmes as early as possible during care. In line with Article 6, all decisions, initiatives and approaches should fully take into account the child's right to be consulted and to have his/her views duly taken into account in accordance with his/her evolving capacities, and on the basis of his/her access to all necessary information.

The individualised approach to welfare beneficiaries in Montenegro is envisaged by legislation. The Rulebook on Organisational Setup, Norms, Standards and Method of Work of CSWs\(^6\) sets forth the development of Individual Care Plans, reviewed every 6 month. These include setting the goal of permanency for a child within the family plan, as well as leaving care planning no later than when the child turns 14 (Art 41, 45, 47)\(^7\). The professionals from CSWs and the Children’s Home see the individual and independence planning as a significant change compared to the previous method of work.

The Rulebook\(^8\) envisages the involvement of children in such planning, as appropriate for their age and maturity, which is very much in line with the principles set forth by the LSCP (Art 7).

---

\(^6\) Rulebook on Organisational Setup, Norms, Standards and Method of Work of CSWs, Official Gazette of Montenegro 27/13.

\(^7\) Ibid

\(^8\) Ibid
Professionals believe that the introduction of Individual Care Plans is a good practice, but note the need to include young persons more in the development of such plans, particularly in planning leaving care. Care leavers and young people about to leave care report being unfamiliar with the independence planning processes, but believe such plans should exist. Their proposals regarding what the plans should include coincide with what the legislation envisages. They believe it is important that such plans come as a product of team work gathering all stakeholders, and for care leavers to have their say in order for their needs and interests to be acknowledged. They stress the importance of being better and more timely informed of the process of leaving residential care, which would assuage their fear of the uncertainties.

The young persons preparing for or after leaving care reported having requested responses from professionals of aftercare options, but often did not get proper responses, which is also confirmed by professionals, because in some situations they were unable to provide information on secure aftercare services (housing, job). This indicates that the implementation of legislation needs to be reinforced and better planning ensured, which includes greater participation of young people and responsibility of all relevant partners included in the process to avoid this being a mere administrative procedure. It is important to have clear care leaving strategies including specific and detailed information on the aftercare options by establishing sustained and formalised cooperation with relevant stakeholders, such as: local self-governments, the National Employment Agency, employers, universities, the VET Centre, schools and other social and child protection institutions, and NGOs. Young people need to be informed in due time of their rights and novelties regarding their preparation for self-reliant living and their future in general.

Preparation programmes for acquiring skills and knowledge required for independent living

The Rulebook on Organisational Setup, Norms, Standards and Method of Work for CSWs (Art 47) and the Rulebook on More Detailed Requirements for Provision and Use of Services, Norms and Minimum Standards for Placement of Children and Youth in an Institution and a Small Group Home (Articles 14, 15, 16, 17) stipulate such activities aimed at acquiring life skills with a view to empowering a young person to be prepared to transition from a structured and supervised environment to a self-reliant life. However, the guidelines to give a more detailed explanation of the types, forms and methods of work within preparatory activities or the accredited preparation programmes still do not exist.

Professionals and young people preparing for or after leaving care stress the importance of life skills acquisition programmes. In practice, as stated by professionals, there are activities aimed at acquiring life skills, but not in a programmatic form. Professionals also report lack of motivation on the part of young people to be involved in such activities, which they note as a challenge. This is particularly seen, reportedly, at the time when young people are about to leave care, which they describe as “resistance to leave”. Some care leavers also mention the lack of motivation to join such activities, which they now in hindsight see as needed. As regards the factors that may motivate the

---

9 Ibid
involvement in the activities offered, some care leavers mention: close relationship with the professionals in the Children’s Home, lectures and workshops of other professionals (institutions, NGOs), close relationship with siblings and other members of the biological family. Here they also include peer group support within the Home, and exchanges with care leavers.

Experts stress it is important to implement skills acquisition programmes focusing on running a household and managing budgets, as well a social and communication skills. Given their experience, care leavers specify skills and knowledge required after leaving residential care which include: taking care of oneself and the household (like cooking, tenancy, paying bills, electricity and water consumption, etc.); budget management; writing CVs and job applications; understanding labour-related rights and obligations; understanding different types of contracts; learning English and computer literacy skills; healthy life styles and communication skills. It is also important to have the information on institutions and organisations and their mandates, as well as all the procedures for procuring personal identification documents (ID, passport, healthcare card, labour card, etc.) needed during aftercare. Professionals and care leavers alike stress the importance of being informed of the community-based activities and involve young people in those that could help in their assuming self-reliance.

The programme success seems not to depend only on its quality and the expertise of deliverers, but also on motivation of participants. It is important to ensure continuous educational and supervisory work of the professionals to empower them to be able to motivate young people’s buy-in of the programme and respond to their emotional and psychological needs. The involvement of other institutions and organisations with diverse accredited programmes should be encouraged, young people should be kept up to speed with the community-based and peer support programmes.

The implementation of the Transformation Plan for the Children’ Home “Mladost” Bijela, with the envisaged transitional residential unit, will be relevant for acquiring skills for a self-reliant living. This flat is separated from the main Children’s Home building, the professionals will act as mentors, and young people will have the opportunity to gradually acquire skills and assume responsibilities for independent living.

Empowering care leavers for quality social inclusion

Articles 14, 16 and 17 of the Rulebook on More Detailed Requirements for Provision and Use of Services, Norms and Minimum Standards for Placement of Children and Youth in an Institution and a Small Group Home envisage that the service provider is obliged to ensure the development of potentials and empower the beneficiaries, cherish their identity and prepare them for a self-reliant life.

Speaking of the support to young people for self-reliant living while in care and during the preparations for leaving care, both the professionals and young residents and care leavers report the following should be ensured for the child to flourish and his/her wellbeing throughout the residential care (envisaged in the Rulebook11): contacts and good relationship with the family of origin, getting to know the community of origin, regular contacts with the case manager from the

---

11 Rulebook on More Detailed Requirements for Provision and Use of Services, Norms and Minimum Standards for Placement of Children and Youth in an Institution and a Small Group Home, Official Gazette of Montenegro 27/13
CSW, reinforcing contacts with the case manager in the Children’s Home, involvement in different community-based support services, and peer support programmes.

Although the Individual Care Plan envisages the frequency and the duration of contacts with parents, professionals stress that **maintaining and improving contacts and relations with the family of origin requires time and continuity, and additional human resources.** In addition, they propose to introduce and define additional benefits for parents and/or children in adverse financial circumstances, since this is very often the reason for the absence of contact. Care leavers also indicate the importance of keeping the contact with the family of origin while on residential care. Family proved to be an important mainstay for those who managed to keep contact during the placement, but also those who have conflicting relations with their family believe that conflict resolution and working towards being closer with the family while on residential care would be important. This indicates the need for increasing human capacities of CSWs and/or providing a service delivered by specially trained staff within the social and child protection system, the civil society or communities, and ensure continuation of the family support programme (a good practice).

The professionals report that **linkages with the community of origin** are an important component in preparation for self-reliant living and the integration in the community, since they see that the support networks are mostly developed in the municipality where the institutions is located (Bijela, Herceg Novi) which is very significant for care leavers. In order to set up support networks in their communities of origin, professionals believe more frequent visits and longer stays there are needed, and could be envisaged in Social Inclusion LPAs. The impression is that care leavers should be given the possibility of changing the competent CSW if residing in a municipality other than the original one.

Care leavers report **sibling support** as a mayor resource; hence, it should be reinforced during the preparation to assume self-reliance.

Professionals from CSWs, and some young persons, mention **continuous, close and frequent contacts with CSW case managers** as an important element in empowering young people on residential care. Some professionals add that their contact with young people on residential care is insufficient (too few contacts) to build a trusted relation which would be the support resource for them, which they justify by too many beneficiaries, the lack of time and staff. And the young people preparing for leaving care and after care report varying experiences as regards their relations with the CSW professionals. Some stress the positive aspects of support and assistance, even beyond what is required, while others say the professionals are there “just to do away with it” (a young care lever).

Care leavers indicate the importance of the feeling of support and maintaining a **relationship with the professional in the Children’s Home** with whom they established a close relationship during their stay, particularly during preparations for leaving care and during transition, and mention their importance for the motivation to be involved in skill and competences acquisition programme. “She was like a mother to me” (a young care leaver).

Among support resources, young people also mention **peer support** of other children on residential care which act is a motivator and as support.

“She [mother] used to see me in the Children’s Home, and now I talk to her about work and relationships and she gives me advice.” (a young woman who left care)
3.3. AFTERCARE PLACEMENT – RIGHT TO PROPER HOUSING

The international instruments which are binding for Montenegro, such as the Universal Declaration of Human Rights, the Convention on the Rights of the Child, and the European Social Charter, guarantee the human right to proper housing. The provision of proper housing is the starting point for a decent life. Under the LSCP, the Rulebook on More Detailed Requirements for the Provision and Use, the Norms and Minimum Standards of Supported Living in a Community\(^\text{12}\) was adopted. In respect of the care leavers, the Rulebook envisages that persons aged 16 to 23 who were children without parental care are entitled to the assisted living service. So far, the service is available in two municipalities only, Podgorica and Bijelo Polje, in cooperation among the Ministry of Labour and Social Welfare, the local self-governments, the Children’s Home “Mladost” Bijela, and an NGO (Centre for Children’s Rights in Podgorica). Housing up to one year is provided for care leavers, during which time they are empowered for self-reliant living through individualised approach. The Social Inclusion LAP in Berane, Cetinje and Nikšić envisage the development and introduction of the assisted living service for care leavers.

The above assisted living services are recognised by all professionals as significant in effective transition and empowerment of care leavers for assuming self-reliance. However, the service is not available throughout Montenegro, it includes few care leavers, and is limited to one year. Professionals recognise collaboration with NGOs as relevant for the service delivery, and if envisaged by social inclusion LAPs, it may become sustained. “We couldn’t do this without partnering with a non-governmental organisation” (a professional). In addition, professionals report the importance of cooperation with local governments, but some point out it is a challenge to develop community-based services given the lack of motivation among local authorities for community-based services for care leavers. Some professionals note that they had no positive feedback despite their repeated initiatives. This calls for improving and developing cooperation and community-based services, as well as extending the capacities of existing services for transition to independent living.

The professionals from CSWs report that in preparation for assuming self-reliance, the team discusses the aftercare housing options. This is largely conditioned by availability, not any systemic solutions; hence, they believe the future challenge is to find sustained adequate housing options for care leavers. For their part, young persons about to leave care and care leavers see housing as a major precondition for overcoming the daily challenges they face.

\(^\text{12}\) Rulebook on More Detailed Requirements for the Provision and Use, the Norms and Minimum Standards of Supported Living in a Community, Official Gazette of Montenegro 27/13 and 1/15.
Apart from the assisted living programmes, care leavers and professionals indicate some other informal transition housing solutions. They mentioned: placement in student dormitories (first year of studies, an urgent solution), prolonged stay on residential care until finding a job and/or housing (the Children’s Home or the Resource Centre “1. jun”). Nevertheless, there are no clear procedures (rulebooks, MoUs) to that effect. Care leavers see this as positive practices and important steps towards self-reliance. Therefore, it is relevant to consider the viability and the possibility of formalising such options, stipulating clear conditions, in order to make such options available in a transparent manner to all persons leaving residential care.

The survey showed that the return to the biological family is also one of the aftercare options. There are examples when this proved to be right for the care leavers, but also some examples of the opposite. Care leavers and professionals mention the reasons when this is not an appropriate solution: when families and care leavers are not prepared enough for shared aftercare living, and lack of support and monitoring during adaptation by professional services. It is to be further discussed how to do means testing to assess the possibility of returning care leavers to original families, to what extent care leavers are involved in making such a decision and familiar with their rights, how to monitor and provide support to care leavers in such cases. This reconfirms the importance of working with families throughout the process. Initially, prevention is critical, and if a child is removed, it is important to keep a contact during their residential care to provide for as early and as successful return as possible. Young people about to leave care, who have the option to return to their biological families, report that this gives them a sense of certainty (inheritance, division of property, reserved portion). Care leavers need to be informed of their family property rights.

Care leavers report non-permanent housing, frequent changes of dwellings and tenancy as great challenges. In conjunction with inadequate and unsteady jobs and small amount of cash allowances, this constitutes a continuous “struggle”, preventing decent living and effective integration in the community.

### 3.4. EMPLOYMENT FOR CARE LEAVERS – RIGHT TO WORK

The right to work, free choice of occupation, fair and adequate conditions for work, unemployment insurance, adequate pay ensuring decent living, and social benefits if needed, the right to professional orientation and professional training are envisaged by international instruments: the Universal Declaration of Human Rights\(^\text{13}\), the International Covenant on Economic, Social and

\(^{13}\) Universal Declaration on human Rights, Ibid.
Cultural Rights\textsuperscript{14}, the European Convention of Human Rights and Fundamental Freedoms\textsuperscript{15} and the European Social Charter\textsuperscript{16}.

In Montenegro, the employment and labour rights and responsibilities are governed by the legislation stipulating labour relations\textsuperscript{17}, pension and disability insurance\textsuperscript{18}, and employment\textsuperscript{19}. Under the LSCP, the Rulebook on the Contents and Form of Individual Activation Plan and Social Inclusion Measures for Work-Able Cash Allowance Beneficiaries\textsuperscript{20} was adopted. The Rulebook envisages the CSW is to develop, together with the beneficiary, the \textbf{Individual Activation Plan}, and make an agreement on active efforts to overcome the disadvantaged position which contains the activities and the duties of the beneficiary. This includes care leavers, among others, as cash allowance beneficiaries. The CSW in cooperation with the National Employment Agency, undertakes to carry out social inclusion measures for work-able beneficiaries, in line with the Individual Activation Plan (employment, vocational education and training, retraining and further training), which none of the professionals mentioned. Based on the Law on Employment and Unemployment Entitlements\textsuperscript{21} the Decree on \textbf{Subsidies for the Employment of Certain Categories of Unemployed}\textsuperscript{22}, was adopted to address the issues of persons with poor employability and vulnerable groups, but care leavers are not recognised as a special category.

Job opportunities depend on several factors, and as regards care leavers, the employment rights are the same as for the general population, since they are not recognised as a vulnerable group for employment.

When speaking of employment for care leavers, professionals do not refer to any norms, but rather mention varying experiences in finding employment for care leavers and the practical challenges they encounter. Professionals report that finding a job for care leavers is extremely difficult and attribute the occasional good examples to additional efforts invested by professionals. As reported both by professionals and care leavers, \textbf{successes are exceptions, rather than the rule}. Some care leavers confirm the importance of the role played by professionals from CSW’s in job seeking and/or finding (especially the entry employment) and rely on their support in doing so, while others refer to the support provided by NGOs in seeking employment. All young people preparing to leave residential care raise their concerns regarding job options.

\begin{quote}
\textit{“I am afraid of not being recruited at all or if recruited, of being asked to do more than others.”} (a boy preparing to leave residential care)
\end{quote}

\textsuperscript{14} International Covenant on Economic, Social and Cultural Rights, Ibid
\textsuperscript{16} European Social Charter, Ibid
\textsuperscript{18} Pension and Disability Insurance Law, Official Gazette of the Republic of Montenegro 54/03, 39/04, 61/04, 79, 04, 81/04, 14/07m 47/07, and Official Gazette of Montenegro 79/08, 14/10, 78/10, 66/12, 38/13.
\textsuperscript{19} Law on Employment and Unemployment Insurance Entitlements, Official Gazette of Montenegro 14/10.
\textsuperscript{20} Rulebook on the Contents and Form of Individual Activation Plan and Social Inclusion Measures for Work-Able Cash Allowance Beneficiaries, Official Gazette of Montenegro 27/13.
\textsuperscript{21} Law on Employment and Unemployment Insurance Entitlements, Official Gazette of Montenegro 14/10.
\textsuperscript{22} Decree on Subsidies for Employing Certain Categories of the Unemployed, Official Gazette of Montenegro 11/12, 40/13, 55/14.
Half of the care leavers covered by the survey are currently **unemployed** and reportedly registered with the National Employment Agency. Although employment offices offer various support programmes for job seekers, care leavers do not recognise or use such services, and doubt they would find a job. Even some of the care leavers who have a job, do not see it as steady or secure. Young persons about to leave the institution and care leavers alike believe it is important to be recommended by someone (‘to have connections’) in order to get a job, i.e. stress the importance of social contact networks unavailable to them.

**Steady employment** is another challenge reported both by professionals and care leavers, indicating the existence of discrimination. They explain it by a number of reasons. Some professionals see that such problems stem from the personal features of young people, while care leavers refer to external factors regarding the lack of job security and stability: the pay lower than expected, discriminatory practices by the employer and/or co-workers, health issues, no employment contracts, downsizing.

It is noteworthy that the care leavers who have (or had) a job point out that the **monthly pay** provides only for the bare necessities. “To tell you the truth, I have enough for myself, but if I had children and a husband, 200 euros would not be enough. You have just for the basics.” (a care leaver) This goes against the ratified international instruments guaranteeing the right to work under the conditions which provide for a decent living.

This is indicative of the need for a **wider interagency cooperation**, to include educational institutions, the Employment Agency, local self-governments, employers (public and private), social and child protection institutions, and NGOs. Such collaborative efforts may lessen some of the problems noted regarding employment, by introducing new policies, procedures and practices. This would ensure the right to work and regular pay, and by extension the independence and dignity.

### 3.5. AFTERCARE FINANCIAL SUPPORT

The UN Guidelines on the Alternative Care indicate the importance of aftercare financial assistance. Upon leaving residential care, young persons receive a certain amount of money including: saved child allowance, saved survivor’s pensions (if entitled to), and financial support by the CSW. Care leavers and professionals alike report that although in some cases it involves a sizeable amount of money, young people spend it very quickly. In addition, care leavers say they were **unaware of the true value of the money they received**.

Under the LSCP, care leavers are entitled to monthly cash allowances of 120.10 euro. Although this amount is equal to the highest stipulated allowances in the system (one quarter of the average monthly salary in the country), this pushes care leavers below the poverty line, as confirmed both by professionals and care leavers. Half of the care leavers covered by the survey rely on the benefits from the social and child protection system in the form of monthly allowances. It may be inferred from the responses given by care leavers that they actively seek jobs, but that the overall high youth unemployment rate in Montenegro is an aggravating circumstance, as well as concealed discrimination, reported also by professionals. The benefits on which half of the care leavers covered by the survey rely, due to the above difficulties, do not ensure even mere survival; hence, the amount of the allowance should be reconsidered. Even more important, as reported both by care leavers and professionals, is to provide scholarships for continued education and steady jobs.
(with preferences). This ensures proper integration in community, while benefits keep them in a passive and dependant position, not unlike the residential care.

3.6. RIGHT TO QUALITY EDUCATION

Under the UNCRC\(^\text{23}\) every child has the right to education (Art 28), stipulating that the state is to encourage the development of different forms of secondary education, the introduction of free education and financial assistance in case of need; access to higher education for all on the basis of capacity; availability of educational and vocational information and guidance. Among other things, education should develop the child’s personality, talents and mental and physical abilities, and prepare them for responsible life in a free society. Similar is the stipulation of the right to education in the Universal Declaration of Human Rights\(^\text{24}\), and the International Covenant on Economic, Social and Cultural Rights\(^\text{25}\).

In Montenegro, education is based on the principle of equality for all; hence, all education rights are guaranteed to children and young persons without parental care. Primary and secondary education mostly takes place in the local schools in Herceg Novi (or the wider Boka Kotorska region), in the Resource Centres “1. Jun” and the Resource Centre for Hearing and Speech, if directed so by the Referral Commission. As of late, some children attend secondary schools in other parts of Montenegro and are placed in dormitories during that period\(^\text{26}\). After completing secondary education, young people may enter higher education, as made possible by informal cooperation between the Children’s Home, and the University of Montenegro and students’ dormitories. The stipulation on mandatory participation in the choice of education, as set forth by Article 15 of the Rulebook on More Detailed Conditions for the Provision and Use, Norms and Minimum Standards for Placement of Children and Young Persons in Institutions and Small Group Homes, is a step in the right direction, but its practical implementation needs to be ensured.

Although current legislation guarantees all the rights to children on residential care, there are some serious, although not that visible challenges. In their response, young people preparing to leave care and care leavers made frequent references to education. They note lack of motivation to learn in lower grades and being unaware of the importance of education, and the subsequent feeling of a “missed opportunity”. The reasons for lack of motivation for learning while on residential care may be sought in strict and rigid community life while in care, where they were not encouraged or included enough in making decisions related to their education and knowledge acquisition. Judging by the responses of the young people about to leave care and the care leavers, the choice of secondary education was largely predetermined by their low achievements in primary schools. The relevance of such constraints is illustrated by the examples of young people who were persistent in choosing the school of their preference, who are

\[^{23}\text{The UN Convention on the Rights of the Child} \text{Ibid.}\]
\[^{24}\text{The Universal Declaration of Human Rights} \text{Ibid.}\]
\[^{25}\text{The International Covenant on Economic, Social and Cultural Rights} \text{Ibid.}\]
\[^{26}\text{The data from interviews with care leavers.}\]
better-achievers and have clear aspirations to continue education. Young persons about to leave care mention they were informed of the choice of schools by school representatives, but were not involved enough in choosing the school.

As regards education, professionals see the education levels of care leavers as inadequate and ill-matching the labour market needs, which is a constraint for self-reliance.

This is indicative of the need of establishing close cooperation with educational institutions from the very start, improving educational support programmes in the Children’s Home, and providing continued information to children in care of the educational options available throughout Montenegro. Young people need guidance and counselling for the proper choice of secondary and tertiary education, which may be reinforced by strengthening cooperation with schools and the Employment Agency.

Additional learning and skills acquisition (foreign languages, computer literacy, additional programmes to facilitate employment, entrepreneurship programmes, etc.) are not largely available to young people in residential care; hence, the cooperation among the Children’s Home, the Centre for Vocational Education, and the education providers should be established to inform young people of all options and provide facilitations (for instance, free attendance of programmes).

Care leavers often refer to the lack of funding as a hindrance for continued education and training, both vocational and university levels. Preferential treatment needs to be ensured for them in admission policies for programmes of studies and dormitories, and scholarships for further education and training.

3.7. HEALTHCARE

The International Covenant on Economic, Social and Cultural Rights\textsuperscript{27} obligates state parties to recognise the right of every person to the enjoyment of highest “attainable standard of physical and mental health”, and the European Social Charter and the additional Protocol\textsuperscript{28} guarantee the right of every person to the protection of health (Art 11). In Montenegro, healthcare is regulated by a set of laws including: the Health Protection law, the Health Insurance Law, the Law on the Protection of Patient Rights, as well as the LSCP. While on residential care, the Children’s Home is obliged to ensure health protection of residents and the provision of care during illness.

Care leavers report ensuring health protection after leaving care as a challenge, primarily regarding the chosen doctors in the place of their new residence. This procedure should formally and essentially be facilitated for care leavers.

\textsuperscript{27} International Covenant on Economic, Social and Cultural Rights, Ibid.
\textsuperscript{28} European Social Charter Ibid.
Care leavers report also the unavailability of some forms of health care due to the mandatory fees, particularly dentistry. This may be addressed by recognising care leavers as a special group of health insurance beneficiaries. Based on preliminary field survey findings, a motion was launched to amend accordingly the Health Protection Law and the Mandatory Health Insurance Law, which was accepted, and the draft versions include amendments to that effect.

3.8. PSYCHO-SOCIAL SUPPORT

The LSCP defines social and child protection services to which welfare beneficiaries are entitled, which include counselling, therapy and socio-educational services. Residential care leavers and young people who were on alternative form of care (persons who were children without parental care), are not recognised as direct beneficiaries of the above services (except supported housing); hence, there is a need to recognise care leavers as beneficiaries to guarantee their access to such services.

Psycho-social support is available in primary healthcare centres, within Youth Counselling Services and Counselling for Mental Health, and are available to young persons. The question raised here, however, is to what extent are care leavers aware of their existence. Psycho-social support services are also provided by NGOs, not equally accessible throughout the country and without sustained funding.

As regards psycho-social support, care leavers mostly say they rely on themselves when facing problems. Likewise, they cope on their own with the painful emotions, and are unwilling to discuss them with others, some even say they doubt anyone could understand them.

Public institutions, NGOs and professionals are seen more as a resource in some practical aspects of support and assistance: seeking housing, jobs, and links with the institutions and employers, than for

“All of them have suffered a trauma, because they were abandoned” (a care leaver)

“There are moments, of course, when you wonder about all that, but with time you suppress it and get used to the situation as it is.” (a young woman who left institutional care)

“It would be expected the Children’s Home would deregister us and explain to us where to register the medical card, how to choose the doctor, what primary health care centres are and how they operate. We had there a doctor who visited us and didn’t think about it.” (a young man who left care)

29 The amendments propounded by the NGO Juventas with a group of NGOs to the Draft Health Insurance Law to recognise care leavers as a separate groups and the availability of dentistry services were approved at the 117th session of the Government.
31 Rulebook on More Detailed Requirements for Provision and Use, Norms and Minimum Standards of Counselling, Therapy, Socio-Educational Services, Official Gazette of Montenegro 27/13, 1/15.
emotional and psychological support. Although some care leavers report the support of some important professional from the Children’s Home, they do not seek emotional and psychological support or do not believe such support would be provided by professionals in the system (although there are some positive examples). The CSW professionals also report that care leavers rarely approach them for emotional and psychological support. The impression is that from the beginning of placement on residential care no relations of trust are developed with the “significant other” with whom they might share painful experiences of separation and the reasons for such separation. Given that such feelings of painful separation, loss, ambivalent feelings towards their parents remain unaddressed, they are reflected on other relations (with parents, professionals, partners, the biological family, the community), and prove particularly detrimental for partner relationships and closeness. Speaking of the possibility of establishing a trusted and close relationship with the CSW professionals, some care leavers express their doubts as to the earnestness in providing care and see them as disinterested. The professionals see the difficulties in communicating with care leavers in their negative attitude, referred to as the “wall of blame and unmet expectations”.

Professionals report the willingness to establish good communication with those young people, but as they put it, it is “often impossible” due to the lack of time, the caseload, rare visits, but also their lack of competences. Most professionals stress the time and patience needed in working with young people on residential care. Given the extensive evidence from many studies (Stein, 2011, Burgund and Žegarac 2014) on the importance of integrating painful experiences and the timely provision of psychological assistance and support, specially trained professionals need to be available to develop a safe emotional base and to work continuously with children and young people on integrating the information from the past to understand the ambivalent feelings and overcome the feelings of anger, rejection, desertion, and improving the quality of life. The above indicates the importance and the complexity of psycho-social support to young people on residential care, and to professionals providing such services. Currently, it is not provided, hence there is a need to develop special services within the system, and licenced services, and ensure continued operation of NGOs providing psycho-social support to young people, and ensure professional development and support for professionals.

3.9. RECOGNIZING YOUNG PEOPLE’S STRENGTHS AND POTENTIALS

In line with the international instruments: the UNCRC, the UN Guidelines for the Alternative Care, the new domestic legal and policy papers focuses increasingly more on the strengths of beneficiaries. These are recognised in the principles underpinning the LSCP (Art 4 para 1) and the implementing legislation. The Rulebook on the Organisational Setup, Norms, Standards and Method of Work for CSWs (Art 36) defines the initial assessment of clients, including the summary assessment of strengths; personal, family and community resources that may help overcome the problems or difficulties, assessing safety and describing risks, or main areas of problems.

It is essential that professionals approach young people with such an attitude, since it sends them the message of community acceptance, seeing them as equal members of the community able of making independent decisions and creating their life and future.

“Everyone is given a second chance in life, so why shouldn’t we get it?” (a care leaver)
The care leavers’ strengths and potentials are recognised in their own efforts to cope with the internal and external difficulties they face. This is seen in the things they do, such as looking for a place to stay, for a job, continuing education, peer meetings, having positive outlook of the future, evident in the responses of young people and their aspirations for self-fulfilment. They recognise own strengths to tackle the problems they face, which in turn is the source of their self-esteem. Care leavers say they are proud of managing to find their way in life, of the care and commitment they show for others, and of their achievements. In their responses, professionals did not focus on strengths and potentials of care leavers; they are rather focussed on challenges and the characteristics (insecurity, feeling of being of lesser value, impulsiveness, low esteem, etc.) which make them particularly vulnerable. In future, more needs to be done to change in professionals the perception of care leavers as “passive recipients”, vulnerable and dependant persons, and focus more on recognising the strengths and opportunities, which enables more equality and empowerment of young people to make own decisions and create a better future.

“I am proud of the fact that I never bowed my head. I did not give up on my dreams, or on the person who was there, and I never will. I never stop hoping.” (a care leaver)
4. RECOMMENDATIONS

The recommendations for improving the position of young people leaving residential care stem from the above report and are grouped in several sets:

4.1. General recommendations for the child protection system reform regarding children without parental care
4.2. Recommendation for preparing children and young people to leave formal care and empower them for self-reliant living
4.3. Recommendations for aftercare support
4.4. Other recommendations

As mentioned previously, in order to obtain recommendations that could be implemented, consultative meetings were held with representatives of the following institutions of the system: Ministry of Labour and Social Welfare, Ministry of Health, Bureau for Social and Child Welfare, Vocational Education Center, Resource Center “1. jun”, Resource Center “Ljubovic”, University of Montenegro, University of Donja Gorica. Furthermore, the contents of most of the recommendations are aligned with the corresponding paragraphs in the UN Guidelines for the Alternative Care.\(^\text{32}\)

4.1. GENERAL RECOMMENDATIONS FOR THE CHILD PROTECTION SYSTEM REFORM REGARDING CHILDREN WITHOUT PARENTAL CARE

**Recommendation 1:** Continue the efforts on deinstitutionalisation and transformation of the Children’s Home “Mladost, Bijela” and work continuously on improving the pertinent Transformation Plan \textit{in line with international standards}. This recommendation is linked with paragraph 23 of the UN Guidelines\(^\text{33}\) where large residential care facilities (institutions) remain, alternatives should be developed in the context of an overall deinstitutionalization strategy, with precise goals and objectives, which will allow for their progressive elimination. To this end, states should establish care standards to ensure the quality and conditions that are conducive to the child’s development, such as individualized and small-group care, and should evaluate existing facilities against these standards.

**Recommendation 2:** Continuously develop community-based services to avoid residential care being the last resort due to the lack of proper alternatives. The placement in any institution, including small-group homes, should be undertaken only when in the best interest of the child. This recommendation is also in line with paragraph 22 of the UN Guidelines\(^\text{34}\), as well as paragraph 20 stipulating that the use of residential care should be limited to cases where such a setting is specifically appropriate, necessary and constructive for the individual child concerned and in his/her

---

\(^{32}\) UN Guidelines for the Alternative Care of Children, Ibid.

\(^{33}\) Ibid

\(^{34}\) Ibid
best interests. Paragraph 21 is also relevant stipulating that in accordance with the predominant opinion of experts, alternative care for young children, especially those under the age of 3 years, should be provided in family-based settings.

**Recommendation 3:** Continuously improve and develop family support programmes and mechanisms, including financial support, to prevent separation of children from families. The programmes are to be developed in collaboration with international experts, the academia and civil society organisations. This recommendation is in line with paragraph 3 of the UN Guidelines\(^{35}\) which indicates that efforts should primarily be directed to enabling the child to remain in or return to the care of his/her parents, or when appropriate, other close family members. The state should ensure that families have access to forms of support in the caregiving role.

**Recommendation 4:** In cases where, despite the support provided to families, it is necessary to remove the child from the family, ensure the quality of the alternative care services. This means having sufficient numbers of trained professionals involved in the formal care to ensure the individualised approach to each child and enable the child to bond with one adult. This recommendation is aligned with paragraph 126 of the UN Guidelines\(^{36}\) which indicates that states should ensure that there are sufficient carers in residential care settings to allow individualized attention and to give the child, where appropriate, the opportunity to bond with a specific carer. Carers should also be deployed within the care setting in such a way as to implement effectively its aims and objectives and ensure child protection.

**Recommendation 5:** Improve the monitoring and evaluation of formal care and its impact on child’s development. This recommendation is aligned with paragraph 5 of the UN Guidelines\(^{37}\), which indicates that it is the role of the state, through its competent authorities, to ensure the supervision of the safety, well-being and development of any child placed in alternative care and the regular review of the appropriateness of the care arrangement provided.

**Recommendation 6:** Improve the participation of children/young people in making decision in the matters related to them, in accordance with their age and maturity. Improve timely and adequate involvement of children and young people in developing and reviewing plans for independence. Each child needs to be informed of the activities envisaged by the plans for assuming self-reliance. Other important people in the life of a young person may be involved in the planning process under the principle of family conferences (Merkel-Holguin et al 2005). **Extend the plan with the mandatory support during the transition period.** These recommendations are in line with paragraph 6 of the UN Guidelines\(^ {38}\) stipulating that all decisions, initiatives and approaches should respect fully the child’s right to be consulted and to have his/her views duly taken into account in accordance with his/her evolving capacities, and on the basis of his/her access to all necessary information. They are also aligned with paragraph 131 stipulating that children leaving care should be encouraged to take part in the planning of aftercare life. Finally, it is also in line with paragraph 130 of the Guidelines\(^ {39}\) indicating that the agencies and facilities should

---

\(^{35}\) Ibid
\(^{36}\) Ibid
\(^{37}\) Ibid
\(^{38}\) Ibid
\(^{39}\) Ibid
have a clear policy and should carry out agreed procedures relating to the planned and unplanned conclusion of their work with children to ensure appropriate aftercare and/or follow-up.

**Recommendation 7:** Develop preparation programmes, i.e. psycho-social support to children and families during the removal, as well as during the adaptation to alternative care ensuring regular contact with the family of origin, guided by the best interest of the child. This recommendation is aligned with paragraphs 63-65 and 80-81 of the UN Guidelines. Develop, provide and accredit targeted psycho-social support programmes for children and young people and train professionals to work with this group of children and young people to mitigate the emotional consequences of separation and loss.

**Recommendation 8:** Increase the number of specialised professionals in CSWs and ensure such work conditions which enable motivation, job satisfaction and continuity in the work of professionals. Professionals are to be provided with continued professional development and supervision in cooperation with the Institute for Social and Child Protection. Work particularly on improving knowledge and skills in working with children and young people with specific features: developmental disabilities, mental health related issues, behavioural disorders, etc. This recommendation is in line with paragraphs 102, 114 and 115 of the UN Guidelines. Paragraph 102 indicates that persons exercising the legal responsibility for the child should have relevant knowledge of children’s issues, an ability to work directly with children and an understanding of any special and cultural needs of the children to be entrusted to them. They should receive appropriate training and professional support in this regard, and they should be in a position to make independent and impartial decisions that are in the best interests of the children concerned and that promote and safeguard each child's welfare. Paragraph 114 indicates that the conditions of work, including remuneration, for carers employed by agencies and facilities should be such as to maximize motivation, job satisfaction and continuity, and hence their disposition to fulfil their role in the most appropriate and effective manner. In addition, training should be provided to all carers on the rights of children without parental care and on the specific vulnerability of children, as set in paragraph 115.

### 4.2. RECOMMENDATIONS FOR PREPARING CHILDREN AND YOUNG PEOPLE TO LEAVE FORMAL CARE AND TO EMPOWER THEM FOR INDEPENDENT LIVING

**Recommendation 9:** Develop, accredit and implement preparation programmes directed to acquisition of skills and knowledge needed for a self-reliant life. The areas and the topics to be covered by such a programme include: basic skills for running a household, basic skills for independent housing, rational and effective money/budget management, communication and social skills, healthy life styles, prevention of risky behaviours, preparation for employment and labour relations, learning foreign languages and computer skills, taking a driver’s licence. The programme delivery, the achievements and the progress made by young people should be monitored by professionals. The method of delivery should be small group and individual work. The involvement of children and young persons in such programmes should be made mandatory. The programmes should be delivered through multiagency approach and work towards their sustainability by involving: local self-governments, schools, the Institute for Educational Services, the VET Centre,
the Employment Agency, NGOs, international organisations, the Institute for Social and Child Protection, and care leavers as peer workers. The programmes should be accredited by the Institute for Social and Child Protection. This recommendation is in line with paragraph 69 of the UN Guidelines\textsuperscript{41} which refers to the need for institutions to cooperate with civil society, favouring information-sharing and networking between agencies and individuals in order to ensure effective care, aftercare and protection for these children.

**Recommendation 10:** Improve the cooperation between the Children's Home and educational institutions to properly use children’s potentials and increase motivation for learning and academic achievements while on residential care. Develop professional counselling and guidance so that children can make proper choice of schools, and subsequently employment. Such services should be delivered in cooperation between the Children's Home, schools, and the Employment Agency (the Centre for Information and Professional Guidance). As regards vocational education and training and the possibility of acquiring vocational qualifications during and after care, the cooperation should be established with the VET Centre. Introduce individual (or small group) mentorship programmes to foster academic achievements of young people in care.

**Recommendation 11:** Develop peer support programmes within the preparation programme in cooperation with NGOs. This type of support should continue as aftercare support. The relation of trust and support through peer mentorship and support proved to be very important in the preparation programmes, and also for young persons to maintain these relations during the transition period (Dewar LA. i Goodman D. 2014).

**Recommendation 12:** Develop guidelines and procedures for support in maintaining and improving contacts and relations between children/young people and parents/biological families to help in faster family reintegration. Such guidelines and procedures should focus on defining important physical and technical issues: provide transport, accommodation for families if they come for a visit, financial support for families to be able to keep such contacts. Young people and their families should be familiar with all the procedures.

**Recommendation 13:** Involve the private sector in preparations for assuming self-reliance. There are good practices in the region where private firms fund the programmes intended for children of school age, and include workshops (good manners, job applications), visits to companies of prospective employers, summer camps and monthly scholarships.

**Recommendation 14:** Ensure continuous, detailed and timely information for young persons when it comes to the work and competences of different institutions and organisation. Develop guides, a specialised internet portal and other informative and educational materials, but also direct communication, visits to institutions, talks to professionals, etc.

**Recommendation 15:** Increase the awareness and involvement of children and young persons in community activities (sport clubs, various other clubs, courses, foreign language schools, driving lessons, youth programmes offered by NGOs).

**Recommendation 16:** Develop monitoring and evaluation tools to track the progress in skill and knowledge acquisition needed to assume self-reliance.

\textsuperscript{41} Ibid
4.3. RECOMMENDATIONS FOR AFTERCARE SUPPORT

**Recommendation 17:** Legally recognise care leavers as a separate group of social and child protection service beneficiaries. Currently the LSCP does not recognise care leaves as a separate group entitled to social welfare services, but only in general terms and through other instruments set forth by the LSCP.

**Recommendation 18:** In relevant national strategies and actions plans, as well as social inclusion LPAs, recognise the need for aftercare support nation-wide and in the specific municipality, and plan the development of support services (housing, employment, education, psycho-social support, etc.), properly budgeted to be sustained.

**Recommendation 19:** Involve care leavers in drafting youth strategies and accompanying action plans, and local youth action plans, and provide for their active participation.

**Recommendation 20:** Raise awareness of the discrimination against this group of young people and work to suppress it. This recommendation is in line with Paragraph 94 of the UN Guidelines which indicates that states, agencies and facilities, schools and other community services should take appropriate measures to ensure that children in alternative care are not stigmatized during or after their placement.

**Recommendation 21:** Set up a special service to provide technical support and information to care leavers during the transition.

**Recommendation 22:** Empower care leavers to establish an NGO or a self-support group affiliated with an existing NGO. It would advocate for the rights of care leavers and establishing peer support services.

---

### 4.3.1. Proper housing

**Recommendation 23:** Extend the age limit for assisted housing, based on individual assessment of readiness of young persons to care for themselves.

**Recommendation 24:** Extend and ensure sustained assisted living programmes in all municipalities in Montenegro in cooperation with local self-governments. Such programmes should include assisted living support with continuous monitoring and support, and training for acquiring a range of life skills. (Dewar L.A. i Goodman D., 2014)

---

42 Ibid
4.3.2. Employment – right to work

**Recommendation 25:** Ensure sustainable strategies for the employment of care leavers. Establish close cooperation with the Employment Agency and employers. Formalise cooperation with the Employer Association.

**Recommendation 26:** Improve the practices relevant to Individual Activation Plans for work-able unemployed, focusing on care leavers.

**Recommendation 27:** Introduce additional incentives for employers for recruiting care leavers (for instance, extend the scope of the Decree on Subsidies for Employing Certain Categories of the Unemployed to cover people who were children without parental care).

4.3.3. Aftercare education and professional development

**Recommendation 28:** Formalise the cooperation with the University of Montenegro and develop affirmative actions for admission, enrolment criteria and tuition, accommodation and funding. It would be important for other universities to join.

**Recommendation 29:** Develop mentorship support within faculties: upon admission, orientation, learning skills that may be offered within the Career Development Centre and the activities of the Student Union and other student organisations.

**Recommendation 30:** Develop sustained funding mechanisms (scholarships) for care leavers for their further education and training, primarily through local or university budgets.

**Recommendation 31:** Continuously inform care leavers of additional possibilities for education and acquiring competences through special services defined in Recommendation 15.

4.3.4. Healthcare

**Recommendation 32:** Immediately before leaving care, ensure timely procedures for the selection of the chosen doctor.

**Recommendation 33:** Envisage special measures to make healthcare accessible and fully free-of-charge for care leavers (and persons who were children without parental care) until 26 years of age.

**Recommendation 34:** Envisage in legislation free dentistry services for care leavers (and persons who were children without parental care) until 26 years of age.
4.3.5. Financial support

**Recommendation 35:** Increase the amount of monthly financial support for care leavers.

4.3.6. Psycho-social support

**Recommendation 36:** Ensure availability of mentorship by a person of trust during the transition period. Consider the use of a peer support model coordinated by the service set forth in Recommendation 15. This recommendation is in line with Paragraph 132 of the UN Guidelines, indicating that special efforts should be made to allocate to each child, whenever possible, a specialized person who can facilitate his/her independence when leaving care.

**Recommendation 37:** As already proposed in the section with General Recommendations, develop psycho-social support for care leavers. Such services should be developed that would offer a range of individual or group psycho-social support programmes. Such services may be developed by local governments, or offered by NGOs. Provide support to professionals in developing such services.

**Recommendation 38:** Improve the procedures and interagency cooperation in providing support to specific groups of young persons in order to ensure proper professional assistance (dealing with behavioural disorders, with addiction, with young people in conflict with the law, with mental health issues, with disabilities, etc.). Provide additional support to professionals working with specific groups.

4.4. OTHER RECOMMENDATIONS

**Recommendation 39:** With a view to providing good quality systemic interpretation, and by extension quality in national practices, the legal terminology needs to be harmonised, in this case the term “young persons” meaning all persons under 30 years of age under the Draft Youth Law, but persons under 26 years of age under the Law on Social and Child Protection.

**Recommendation 40:** Continued practice of conducting quantitative and qualitative surveys within the social and child protection system in order to monitor the effects and improve the services to better respond to the needs of the people they are intended for. Some of the ideas for future surveys stemming from the current one include: understanding factors affecting care leavers’ resilience taking into account their individual features (gender, age of entering residential care, reasons for separation from the family, etc.); methods and forms of communication between professionals and children/young people without parental care to understand the factors affecting the feeling of understanding and acceptance; monitor the effects of the preparation programmes; longitudinal surveys to monitor the effects of preparation programmes and factors affecting

---

43 UN Guidelines for the Alternative Care, Resolution adopted by the UN General Assembly, 20 November 2009.
successful outcomes; understanding the preparation, transition and assuming self-reliance processes for young people in alternative care (for instance, kin or non-kin foster care).
5. BIBLIOGRAPHY

International law and guidelines:

- Evropska konvencija za zaštitu ljudskih prava i osnovnih sloboda, usvojena je 1950. god. u Rimu. Preuzeto sa sajta:
- International law and guidelines:

BIBLIOGRAPHY

- Međunarodni pakt o ekonomskim, socijalnim i kulturnim pravima, stupio na snagu 1976. godine.
- UN Konvencija o pravima djeteta usvojena je 1989. godine od strane Generalne skupštine Ujedinjenih nacija.
- Međunarodni pakt o ekonomskim, socijalnim i kulturnim pravima, stupio na snagu 1976. godine.
- UN Smjernice za alternativno staranje usvojene su na Generalnoj skupštini Ujedinjenih nacija 2010. godine.
- UN Smjernice za alternativno staranje o djeci, rezolucija usvojena od strane Generalne skupštine UN, 20. 11. 2009.
- Univerzalna deklaracija o ljudskim pravima usvojena je na Generalnoj skupštini UN 1948. godine; rezolucija br. 217/III.

National legal and policy framework:

- Error! Hyperlink reference not valid., preuzeto sa sajta: www.inkluzija.me
- Lokalni plan za unapređenje socijalne inkluzije – razvoj lokalnih socijalnih usluga/servisa, Bar, preuzeto sa sajta: www.inkluzija.me
- Lokalni plan za unapređenje socijalne inkluzije – razvoj lokalnih socijalnih usluga/servisa, Plužine, preuzeto sa sajta: www.inkluzija.me
- Lokalni plan za unapređenje socijalne inkluzije – razvoj lokalnih socijalnih usluga/servisa, Šavnik, preuzeto sa sajta: www.inkluzija.me
- Lokalni plan za unapređenje socijalne inkluzije – razvoj usluga socijalne zaštite 2014–2018, Berane, preuzeto sa sajta: www.inkluzija.me
- Lokalni plan za unapređenje socijalne inkluzije – razvoj usluga socijalne zaštite sistema socijalne i dječje zaštite, 2012–2016, Nikšić, preuzeto sa sajta: www.inkluzija.me
• Lokalni plan za unapređenje socijalne inkluzije – razvoj usluga socijalne i dječje zaštite u Glavnom gradu – Podgorica, 2014–2018, preuzeto sa sajta: www.inkluzija.me
• Lokalni plan za unapređenje socijalne inkluzije – razvoj usluga socijalne zaštite Opštine Plav, preuzeto sa sajta: www.inkluzija.me
• Plan transformacije JU Dječji dom „Mladost“ u Bijeloj, jul 2015, preuzeto sa sajta: http://www.mrs.gov.me/biblioteka/dokument
• Porodični zakon, „Sl. list CG“, br. 01/2007.
• Pravilnik o bližim uslovima za pružanje i korišćenje usluga, normativima i minimalnim standardima usluga za smještaj djece i mladih u ustanovu i malu grupnu zajednicu, „Sl. list CG“, br. 27/13
• Pravilnik o bližim uslovima za pružanje i korišćenje, normativima i minimalnim standardima usluga podrške za život u zajednici, „Sl. list CG“, br. 27/13 i 1/15.
• Pravilnik o bližim uslovima za pružanje i korišćenje, normativima i minimalnim standardima savjetodavno-terapijskih i socijalno-educativnih usluga, „Sl. list CG“, br. 27/13, 1/15.
• Pravilnik o organizaciji, normativima, standardima i načinu rada centra za socijalni rad, „Sl. list CG“, br. 27/13.
• Pravilnik o sadržini i obliku individualnog plana aktivacije i načinu sprovođenja mjera socijalne uključenosti radno sposobnih korisnika materijalnog obezbjeđenja, „Sl. list CG“, br. 27/13.
• Pravilnik o visini sredstava za razvoj, odnosno finansiranje usluga socijalne i dječje zaštite i kriterijumima za njihovu raspodjelu, „Sl. list CG“, br. 27/13 i 1/15.
• Prijedlog zakona o mladima, usvojen na 117. sjednici Vlade, održanoj 25. 6. 2015, preuzeto sa sajta: http://www.gov.me/sjednice_vlade/117
• Prijedlog zakona o zdravstvenoj zaštiti, preuzeto sa sajta: http://www.gov.me/biblioteka/predlozi-zakona
• Prijedlog zakona o zdravstvenom osiguranju, preuzeto sa sajta:
• Strategija razvoja hraniteljstva u Crnoj Gori 2012–2016.
• Uredba o subvencijama za zapošljavanje određenih kategorija nezaposlenih lica, objavljena u "Sl. listu Crne Gore", br. 11, od 22. februara 2012, 40/13, 55/14.
• Zakon o nacionalnim i stručnim kvalifikacijama, “Sl. list CGI”, br. 80/2008, 14/2009 - ispr. i 80/2010 - dr. zakon
• Zakon o nasljeditanju, „Sl. list CG“, br. 74/2008.
• Zakon o obrazovanju odraslih, „Sl. list CG“, br. 20/2011.
• Zakon o penzijskom i invalidskom osiguranju, „Sl. list CG“, br. 54/03, 39/04, 61/04, 79, 04, 81/04, 14/07, 47/07, i „Sl. list CG“. br. 79/08, 14/10, 78/10, 66/12, 38/13.


• Zakon o socijalnoj i dječjoj zaštiti, „Sl. list CG“, br. 27/13.


• Zakon o vaspitanju i obrazovanju djece s posebnim obrazovnim potrebama, „Sl. list RCG“, br. 80/2004, „Sl. list CG“, br. 45/2010.


• Zakon o zabrani diskriminaciji, “Sl. list CG“, 2010.

• Zakon o zapošljavanju i ostvarivanju prava iz osiguranja od nezaposlenosti, „Sl. list CG“, br. 14/10.


International research and publications:


• UNDP. (2011). Ocjena integriteta zdravstvenog sistema u Crnoj Gori. UNDP.


Miscellaneous:

• Juventas, HRA, Načrt akcionog plana za unapređenje položaja lica u pritvoru i na izdržavanju kazne zatvora kao i za unapređenje podrške nakon otpusta, planirano publikovanje novembar 2015.


• Zavod za socijalnu i dječju zaštitu, prezentacija: Proces deinstitucionalizacije u Crnoj Gori, mr Mirjana Popović, 7. 10. 2015.
6. ANNEXES

6.1. ANNEX I – DATA COLLECTION PROTOCOLS

1. **Protocol for in-depth semi-structured interview**
   
   In-depth semi-structured interview, with youth who left the institution, included a protocol and a guide with thematic units, and the actual questions in terms of their formulation and the depth in which the answers were sought were adapted to the context and the individual interviewees during the interview itself. Thematic units included the following areas:
   
   - **Life situation** – this related to the perception of placement in terms of protection, change of placement as a protective measure, feelings towards current placement, change of placement after leaving the Home, perception of the relations with biological family (family of origin), brothers and sisters, family planning and relations in the procreation family.
   
   - **Experience in school, attitude towards education: employment and relationship between education and employment** – this part included the manner of selection of the school and enrolment in school, feelings towards education, desire and actual continuation of education after placement, activities related to job search, perception of employment possibilities, perception of current employment and job satisfaction, ambitions regarding employment, experience with change of job (if there was any), relationship between education and employment.
   
   - **Skills and knowledge necessary for independent living** – it related to the skills necessary to care for oneself and the household, budget management skills, assessment of personal skills after departure, perception of support in skill development, perception of change in the level of skills from the moment of departure until now and what affected that change.
   
   - **Attitude towards health and healthy living styles** – included the perception of healthy living styles, care for health, perception of risky situations and behaviors, as well as protection.
   
   - **Support network** – included the perception of support by the institutions, civil society organizations, or some other actors (professionals, peers who left the Home…), seeking and obtaining support, perception of friendships and their importance.
   
   - **Plan for independent living** – referred to having a plan for independent living and the perception of their involvement in the creation of such plan, assessment of the achievement of goals contained in that plan, proposals on how to improve the program of preparation of youth to leave the Home.
   
   - **Perception of the future** – included their vision of the future.

2. **Protocol for the focus group with youth preparing to leave residential care**
   
   Protocol for the focus group “Youth in the process of preparing to leave residential care”, implemented with youth preparing to leave the Home, which included the following thematic units:
   
   - **Skills and knowledge youth need for independent living** – it referred to the skills and knowledge that youth find necessary for independent living, how they assess the knowledge and skills necessary for independent living, how they gained certain knowledge and skills.
Available support – it included the general perception of support, forms of support that youth emphasize as important and the manner in which this support is provided.

Perception of preparation and readiness for independent living – it referred to the perception of support and programs for the preparation of youth for independent living, as well as perception of themselves in terms of readiness for independent living.

Concerns and fears – it referred to concerns and fears related to leaving residential care and independent future, as well as the perception of challenges that they could face once they leave.

Role of the system – it referred to the perception of youth with regard to child welfare system and support by professionals who provide this support to them.

Proposed solutions – it referred to their understanding of the change needed in order to provide greater support for youth when leaving the institution.

3. Protocol for the focus group with professionals
Protocol for the focus group on the following topic “Practice in working with youth leaving the Children’s Home “Mladost” in Bijela”, which was organized for professionals working in the centers for social work, the Children’s Hoe and NGOs and which included the following thematic units:

Role of professionals in the work with and support to youth getting ready to leave or youth who have left the Children’s Home “Mladost” in Bijela – it referred to the manner in which professionals saw their contribution, contribution of their organization, and the contribution of other institutions of the system and organizations.

Perception of the professionals regarding of challenges that this group of young people is facing.

Perception of minimum and ideal standards in terms of support to youth.

Communication with youth – referred to the manner in which professionals used communication with the youth in order to empower them to actively participate in the creation of their own future.

6.2. ANNEX II – SAMPLE OF PROFESSIONALS FROM THE INSTITUTIONS OF THE SYSTEM AND CIVIL SECTOR ORGANIZATIONS

Public institutions in Montenegro providing social and child welfare services to children without parental care include centers for social work (11 centers with 14 field units) and the Children’s Home “Mladost” in Bijela. There were six non-governmental organizations identified that work, as part of their regular activities, with youth preparing to leave or youth who already left residential care. Focus groups with professionals included professionals from three different regions in Montenegro – the north, the central region and the south. The Ministry of Labor and Social Welfare provided support in the organization of focus groups, sending invitations to the representatives of the centers and the Children’s Home and in securing the space where the focus groups will be held in the south and in the north of Montenegro.

Focus group with professionals from the Center for social work (CSW) in Podgorica and CSW in Niksic, in the premises of NGO “Juventas”, with six participants.
• Focus group with professionals from the CSW in Herceg Novi, CSW in Kotor and the Children’s Home “Mladost” in Bijela, in the premises of the Home for the Elderly “Grbavac” in Risan, with seven participants.

• Focus group with professionals from the CSW in Rozaje, CSW in Bijelo Polje, CSW in Plav in the premises of the Home for the Elderly “Bijelo Polje”, with eight participants.

• Focus group with representatives of the NGO sector that have worked with youth who left the Children’s Home “Mladost” in Bijela. The focus group was attended by one representative from each of the four NGOs: “Ruka prijateljstva” (Hand of friendship), “Centar za prava djeteta” (Center for rights of the child), “Djeca prije svega” (Children above all) and “Juventas”, and it took place in the UNICEF premises (two organizations that, in our opinion, could give a certain contribution to the understanding of this topic – NGO “Forum MNE” and “Fondacija za pomoc djeci iz Bijele” (Foundation for assistance to children from Bijela), were unable to participate in the focus group and excused their absence).

Structure of participants in the focus groups organized for the representatives of the social and child welfare institutions was mostly homogenous in terms of gender – out of the total number of professionals (21), three were male, and 19 were female. Average number of years of work experience – from 6 months to 25 years in this position. Professions included in the focus group: 9 social workers, 6 psychologists, 2 lawyers/legal professionals, 2 special pedagogues, 1 pedagogue and 1 sociologist. Structure of focus groups with the representatives of NGO sector was also rather homogenous in terms of gender – with only one male participant. Years of work experience at the current position went from one to 16 years. The following professions were represented: one legal professional, one English language teacher, one social worker and one person with high school degree.