

*The Working Group for Cooperation on
Children at Risk (WGCC)
Programme on the Rights of Children in
Institutions in the Baltic Sea Region*



Expert Meeting on

Training for Staff Monitoring Children's Institutions

March 12th – March 13th 2008

at

Tallink City Hotel, Tallinn

<http://hotels.tallink.com/en/mainMenu/cityHotel/>

Wednesday the 12th of March:

Welcome. Ms Anniki Tikerpuu, Estonian Ministry of Social Affairs, Chair of the WGCC

Dear colleagues from the Baltic Sea Region,

I am very happy to greet you all here in Tallinn, in the capital of Estonia. I'm greeting you here as the Chairperson of the Working Group for Cooperation of Children at Risk in the Baltic Sea Region and also as the representative of Estonian Ministry of Social Affairs being more than pleased to host you all here in Tallinn.

I do hope that you have had a pleasant trip to Tallinn in spite of the heavy storms which are breaking trees and running ships aground in Europe and of which we have all heard from the news. I haven't heard any storm warnings yet in Tallinn, so let's hope that we will be lucky and have the chance to concentrate only to the reason we have gathered here. We have planned to have two very practical and informative working days and rushing two steps ahead I can also let you know that we also have very enjoyable dinner plans.

So, why have we gathered here today?

As we have seen - throughout the Baltic Sea Region, quite a many countries struggle with finding the most appropriate ways of monitoring care to respond to the responsibility of caring for children in out-of-home placement.

I know that Lithuania is in a process of making remarkable reforms changing the system of the children institutions. I also know that Sweden is taking new steps at the field of monitoring in order to improve this. Estonia has been struggling with preparing a new social

welfare law, we already have made quite a many changes in our system of children institutions, but there are still lots of improvements to be made.

As you know that the situation and the systems of the countries in the region are quite different, but there are also some things what we have in common. There is a need to be better and to do better when we are thinking of children rights.

This is the main reason for us to have the meeting here today and also there is a certain history in the background, which is with great importance when discussing implementing a training for staff monitoring children's institutions.

In 2005 the Ministers of Baltic Sea States responsible for children's issues had a meeting in Oslo. At the meeting, the ministers assigned the Working Group for Cooperation on Children at Risk, the WGCC, to elaborate a plan on how the rights of children in institutions in the region could be advanced, especially in view of the Council of Europe recommendation 2005:05.

After the ministerial meeting the WGCC organized expert meetings and desk studies with the aim of identifying the most appropriate way of addressing the issue.

In November 2006 the conference "The Rights of Children in Institutions in the Region of the Baltic Sea States" was held in Stockholm. The participants of the conference encouraged the Working Group for Cooperation on Children at Risk to continue with different activities at this topic through the regional cooperation and they also made suggestions for several actions.

Since the meeting, the WGCC has developed a Plan of Action on the Rights of Children in Institutions. You can find this document from your folders and it has also been sent to you together with the invitation for this expert meeting, so you can follow the document during the discussions in the expert meeting.

The Plan of Action on the Rights of Children in Institutions has two main goals:

1. Support given to young persons leaving institutions

Activities: mapping of the programmes in the region to create a foundation for exchange and development of support measures for young persons leaving care.

As the participants of the Stockholm conference encouraged the WGCC to build up a Training for staff conducting monitoring of children's institutions, then WGCC has also set a goal of

2. Developing the monitoring of institutions to include the Council of Europe Recommendation (2005)5 and other international recommendations, ensuring also that children are heard in the development of the monitoring of institutions.

So, the WGCC is suggested to use the network of experts in the region to

- a. develop a plan for a training, through which monitoring skills should be developed. The plan will include specific provisions on how children themselves should be included and their rights respected

- b. implement a pilot training, using the developed plan, including teams of monitoring staff from countries in the region.
- c. involve young persons themselves in the development of such a plan and in the training as such
- d. ensure that the plan for the training includes training on how young persons should be included in the monitoring of institutions and residential care settings where they themselves are residing.
- e. involve young persons with disabilities, adjusted to their abilities, in this work.”

Taking into consideration all what has been just mentioned, WGCC has tasked Norwegian experts, who have already developed and successfully implemented a training in Norway on the issue, to adapt their training for possible use in other countries in the BS region.

Expert meeting what we are having today and tomorrow is mainly convened in order for the Working Group for Cooperation in Children at Risk to receive the viewpoints from different experts around the region on the training developed by our Norwegian colleagues. Also to plan further steps how to implement a pilot training using the developed plan.

So once again I want to underline the importance of the most valuable input you can all offer here during this meeting for the work of the WGCC. And WGCC is very grateful for the help given to us by our Norwegian colleagues and for the opportunity to benefit from your long-term experience.

I wish us all very fruitful discussions and pleasant moments during these two days we have here in Tallinn.

The WGCC programme on the Rights of Children in Institutions, **Mr Lars Lööf, Head of Children’s Unit, CBSS Secretariat.**

**Working Group for Cooperation on
Children at Risk**

2007 - 2008

Chairperson: Adviser Anniki Tikerpuu,
Ministry of Social Affairs, Estonia
Head of Children's Unit Lars Lööf
Council of the Baltic Sea States Secretariat
(CBSS)



This brief presentation is to put the activities during these two days into the general context of the work of the WGCC.

Working Group for Cooperation on Children at Risk

Priorities:

1. Sexual exploitation in all its forms
2. Unaccompanied and trafficked children
3. Children living in the street
4. The Rights of Children in institutions
5. Young offenders and self destructive behaviour in children



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The WGCC uses its five priorities when deciding on activities to pursue and what areas that the cooperation would be best put to use in targeting. For some years, the WGCC has put a lot of focus on the issue of children that are victims of trafficking or that are unaccompanied, but other prioritised areas have also been in focus.

Methods used

1. Expert meetings
 - a. Defining common areas of concern
 - b. Identifying gaps
 - c. Outlining areas for action
 - d. Expert input to the WGCC
2. Conferences
 - a. Political support
 - b. State commitments and joint funding
 - c. Unique networking
3. Web site
 - a. Regional information on children at risk
 - b. Networking possibilities online
 - c. Calendar



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As you see, expert meetings like this one, are used as a means of identifying and sharpening the proposed activities.

Activities during the year – pointing to the future

- The Rights of Children in Institutions
 - Expert meeting on monitoring systems and child participation, September 2006
 - Conference: “*The Rights of Children in Institutions in the Region of the Baltic Sea States - Improving Child Participation, Monitoring and Post Placement Assistance*”, November 2006
 - Programme adopted by the WGCC includes:
 1. Developing training for staff working with monitoring in order for the monitoring of children’s rights in institutions to include the Council of Europe Rec (2005):5
 2. Implement a pilot training on monitoring skills
 3. Mapping of resources assisting young persons leaving institutions in order to facilitate a better coordination of efforts and of learning (Mapping ready in first draft)
 - Cooperation with the Council of Europe and the Nordic Cooperation on Disability, NSH, under the NCM.



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Our chairperson in her welcoming speech gave you the overview of what the WGCC is pursuing regarding the rights of children in institutions so I will not go into this here.

Expert meetings 05- 08

1. Expert meeting on Care, protection, rehabilitation and reintegration for unaccompanied and trafficked children (Kiev April 05)
2. Expert meeting on supporting boys and girls leaving institutions (Yaroslavl September 05)
3. Expert meeting on Child friendly forensic investigations (Reykjavik May 06)
4. Expert meeting on support to children abused in Internet settings (Sättra Bruk, Sweden, May 06)
5. Expert meeting on monitoring the rights of children in institutions. (Oslo September 06)
6. Expert meeting on Children committing crimes and with a self destructive behaviour. (St Petersburg, November 2007)
7. Expert meeting on Children’s Reactions to Abuse in Online settings. (London March 2008)
8. Expert meeting giving input to the monitoring training. (Tallinn, March 2008)



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This meeting falls well in line with other expert meetings we have had.

Important partners

- NGO cooperation
 - ECPAT Europe – Developing training manual for law enforcement and social workers on children and trafficking and adapting the manual to national needs
 - Save the Children Alliance – Unaccompanied children, children without documentation
 - Separated Children in Europe Programme
- Nordic Council of Ministers
 - Trafficking coordination – transparency new NCM project on prevention of trafficking presented at 4th NCP meeting in Warsaw May 8th- 9th
 - Nordic Cooperation on Disability – Using the two programmes to complement and using each others’ resources
- The Council of Europe
 - Rec (2005)5 on the Rights of Children in Institutions
 - Europe wide work on follow up of World conferences on sexual exploitation
 - Promoting the CoE Convention Against Trafficking in Human Beings
- EU
 - Violence against children on the Internet
 - Coordination of the fight against trafficking
 - European Forum for the Rights of the Child – (1st forum in Berlin on the 4th of June)
- Foundations and partners
 - Oak Foundation
 - World Childhood Foundation
 - Save the Children



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There is always something to
learn -

- and always something to teach



Thank you all.



Session I

Chair: Ms Anniki Tikerpuu, Estonian Ministry of Social Affairs, Chair of the WGCC

The Expert participants introduced themselves:

Elmet Puhm, Estonia: I work for the Ministry of Social Affairs where I started a week ago. Before this I worked for SOS Children's Villages.

Jarle Landås, Norway: I work with the county governor of Hordaland where I monitor child protection services and social care. I work with many projects together with Eric developing monitoring.

Marta Choroszczyńska, Arkadiusz Robaczewski and Ewa Wieczorek, Poland: All work for the national teacher training centre which is the institution dealing with training. Through this programme we will get in touch with the training delivered for care institutions

Ragne Kepler and Merike Petersoo, Estonia: We come from Tartu Child Support Centre. The centre is a non-overnmental organisation focusing on treating abused children and preventing abuse. Merike Pettersoo was previously school social worker in a special school for children with disabilities.

Galina Semiya, Russia, Dr of psychology and expert at the Ministries of Education and Ministry of Health and with the Russian Duma. Some experience of monitoring of children's institutions. In Russia we have no methodology of monitoring. I hope to translate this to many regions in Russia since many projects every year is concerned with monitoring.

Christina Godarve, Sweden: Work with the county board where I have looked specifically at children in institutions. Responsible for the monitoring of all child institutions in Gotland and I have a bit of experience form all the monitoring that has been done. I have also looked at all cases of foster care.

Agneta Björklund, Sweden: From the Ministry of Social affairs. Responsible for social care for children, so one of the people behind the monitoring made of the institutions in Sweden. The report will be presented to the minister at the end of this month. We see this as an important way of guaranteeing the children's rights when they are outside of their homes. Children growing up in institutions in the 30ies – 50ies have now turned to the government for compensations and damages. We have a special committee of inquiry dealing with this. I

see this as connected, we all have something to learn from the history. We are also dealing with an overview of social care for children.

Bragi Gudbrandsson, Iceland: I am an old member of the WGCC. I was a member of the working group that made the recommendation on children in institutions in the council of Europe. Director of the Government agency for child protection. In Iceland we have had a similar debate as the Swedish one. We have just completed the major research into this and the discussion in Iceland focus on the importance of monitoring so this is of extreme value for the present and for the future. We need to secure so we can secure and address the abuse of children in institutions.

Trine Birkemoose, Denmark: I am a social worker working for many years with children in institutions and in foster care, I just recently joined the team responsible for the monitoring of institutions so this is of high interest. We have just recently had a big reform of the regions and county councils in Denmark, so the monitoring is now in the hands both of the municipalities and in the hands of the regions.

Kristīne Veispale, Latvia: I am chief inspector at the agency for the protection of children's rights in Latvia. Work in this agency for two years. I have worked for six years in the social sphere. Experiences working with children with disabilities. Presently I monitor the institutions.

Rune Fjell, Norway: I am Deputy County Governor from Hordaland and I am here since I have a coordinating responsibility for all the activities in the county including the training.

Eric Backer-Røed, Norway: I am senior adviser at the County Governor of Hordaland. I have worked as a project manager for many years in the Ministry for Children and Equality with a focus on developing different systems for monitoring. Together with Jarle Landås I train staff at the various county governors' offices that do the monitoring.

Björn Bredeesen, Norway: I am happy to introduce the Norwegian systems. At the Ministry of Children and Equality with a main focus on children at risk, also coordinating the national plan on trafficking.

Presentation of the monitoring model developed in Norway: The context in which it was developed and how the need for training grew out of the new responsibilities for the County Governors. **Mr Eric Backer-Røed and Mr Jarle Landås, County Governor's office in Hordaland.**

History of Norwegian monitoring system

1947 – 1953: Monitoring by board of health

1953 – 1992:

- ✓ Monitoring responsibility primarily by child committee appointed in each municipal.
- ✓ Superior responsibility by County governor

Method was not stipulated and monitoring was carried out in different ways and regularity.

Research of childcare institutions in Bergen for the period 1954 – 1972 concludes that monitoring rarely took place, there was basically non contact with the children or staff except the management and no report was composed/worked out. Research concludes that physical and sexual abuse took place in the childcare institutions

- Board of health: health related, matters of hygien,

- From 1953 it was in each municipality that the county governor had a responsibility to monitor all institutions but this was poorly organised without a stipulated method.
- Child committee: task was monitoring all aspects of institutions' activities
- a lack of control from the authorities.
- The research from Bergen concludes that monitoring had no contact with children and there were no reports of the physical and sexual abuse that did happen in the child care institutions. Research also in Oslo area drew similar conclusions that abuse happened all over the country.
- Compensations have been paid out in Norway for people staying in institutions that were abused.

Monitoring of County Governor

1992: monitoring by County Governor,
minimum 4 or 8 times pr year (individual monitoring)

The Office of the Auditor General's investigation into follow-up and supervision in the child welfare service (2002-2003):

- most of the County Governors were unable to perform the statutory number of inspections of child welfare institutions.

2005:- minimum 2 or 4 individual monitoring pr year
- one audit pr year

The county governor has the responsibility to oversee that municipalities discharge their function.

From 2005 the monitoring is both individual and there is also the auditing of the management system.

object of the monitoring was the children all times two or four times a year for the same child.

Legislation

- Act of 11 June 1992 No. 100 related to Child Welfare Services
 - Regulations of monitoring childcare institutions (2003)
 - Regulations of rights and use of force in childcare institutions (2002)
 - Regulations of quality in childcare institutions (2003)

Both private and public own childcare institutions

Institutions today are usually small units, often built as private homes

The force used can be restraining the child physically, protecting the child and to prevent physical abuse, harm to others or to the child. In some situations you can use force against the child, you can neutralize him. If force is used you need to make a note of it in a specific protocol that the county governor reviews if any restraining is used. Children are not in locked rooms in an institution. The door can be locked for a brief time.

The County Governor makes sure by monitoring that institutions are operated in accordance with the law and regulations.

If the institution is improperly run, the county governor may order

- the conditions to be rectified
- the institution to be closed down.

Method

Two tiers of monitoring of childcare institutions

1. Individual monitoring
2. Audit of the institution's management system

Individual monitoring

- Carried out/executed by two persons
- As often as necessary, but minimum 2 times pr year
- The children's individual situation is the main subject
 - Contact with all the children is essential
- Conversation with one or several employees at the care centre the day monitoring take place
- Report in writing with conclusions

Two people monitor at the same time. The report includes conclusions.

Q: Why two people doing this?

EBR and JL: We do this to ensure that we cover all the areas. The two persons can have different points of view. **Q:** What do you do if this happens? **EBR and JL:** This rarely happens as we hardly ever disagree on what we have heard.

Q: What if the child is three years old? What age must children have for this procedure? **EBR and JL:** This varies naturally on how we do it and how we talk to them. Older children from 8 – 10 are talked to. Average time in institution in Norway is 6 months, small children are more often in foster care.

Q: Does this apply to all institutions? What kind of institutions are there in Norway? In Russia the child will go to one form of institution up to three years of age, then to another. How many staff are there in institutions in Norway? **EBR and JL:** Around 2000 children in care are taken care of by approximately 2000 staff.

We talk to the staff and we look if the placement in the institution is based on valid decisions.

Responsibilities for the individual monitoring authorities

- The placement is based on valid resolution
- The child is receiving secure and respectful care and treatment. Their integrity is preserved
 - No illegal force is carried out/exercised. Prevent physical and sexual abuse
- The child's rights of education is properly taken care of
- Aim and plan for the stay is composed/worked out and evaluated

This is seen to for each individual child.

The plans should be worked out for each child, by the municipality.

Audit of the institution's management system

- Carried out/executed by at least two persons
- One audit a year at the institution
- The management systems to secure the activity within legislation (child welfare services act with regulations) is the main subject
 - Internal control system/management system
- Written report with conclusions: nonconformities

Conclusions from the auditing is set up in a specific way: The deviations or the non conformities are set up and the paragraph that is violated is cited. This is the Norwegian system. We will put up an example.

Q: Are there specific quality standards that are set up in the auditing? **EBR and JL:** The indicators of the audit rely on the legislation.

Q: How can they evaluate if it is correct or not? **EBR and JL:** The level of services is set by the legislation. The county governor defines the law. This can be the minimum standard, the level over which each institution must be managed within.

The legal demands must be made in order for a child in an institution not to be in danger of sexual abuse. We ask the staff what they do to prevent sexual abuse. We would for example ask them if there is a system which denies access to the rooms of children at night. The staff may respond that they only have one guard during nights and he is on the ground floor. We may then go on asking if the doors can be locked from the inside and they may respond that they cannot. We may then conclude that this is not good enough.

During the monitoring specific areas may be set as focus areas. This could be safety, access to education, fulfilling their school education, the atmosphere in the institution or others. These themes are set up once a year by the Ministry of Children and Equality. The conclusions from these themes are then looked at by the entire Norway.

Presentation of new model for monitoring of institutions. **Mr Eric Backer-Røed and Mr Jarle Landås, County Governor's office in Hordaland.**

Monitoring system

Children in institutional care

Monitoring

- Definition:
Monitoring is the authorities outwards activities to make sure that the childcare legislation is maintained

Two key words: external or outward is one. You need to go to the institution, you need to visit the place, you cannot do this from your desk.

The other key word is legislation. The law must be known and understood, so that the law is the guideline for what should happen.

Why monitoring?

- To provide legal safeguards for both children and staff
- To make sure that childcare institutions are delivering their services at a defined level
- To make sure that public means are used according to intentions

Staff have sometimes been falsely accused of wrongdoings so the monitoring is a safeguard both for the staff and for children.

When we monitor we will make the legal demands operational, and we need to make sure that the institutions do their work in fulfilling the legal demands. The county governor gets a lot of complaints on decisions made in care of children and we deal with these complaints. In many countries there are a lot of public agencies involved in child care and a lot of funding from the state goes into the child care and into child protection.

Principles for monitoring

- Rights for the children and corresponding duties to the institutions that take care of them
- Basis of “The Baltic Monitoring Model”:
 - Convention on the right of the child
United nations 20.11.1989
 - Rec. no 5 (2005) Council of Europe

We cannot go into each country’s legislation. We can instead use the CRC and use this as the basis for the monitoring against which the monitoring can be made.

The Rec no 5 from the CoE can then be used to supplement the CRC

Convention on the rights of the child

- Secure children their basic needs
- Protection against arbitrary or unlawful interference in privacy
- Protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse
- Secure respect for cultural, religious and ethnic heritage (etc)

Rec. no 5, (2005) Council of Europe

- Par. no.14.
The right to respect for the child's human dignity and physical integrity; in particular the right to conditions of human and non-degrading treatment and a non-violent upbringing

This paragraph will be focused on, since we need to examine parts of what they are doing if this is done in a good way or not. We can then ask what the institution does to uphold the paragraph meaning

The chosen subjects for this monitoring example

- What does the institution do to;
 - protect the dignity of the child
 - protect the child from physical or psychical ill-treatment
 - protect the child from sexual exploitation or abuse
 - The actions the institution do to meet these demands, is called operationalization
-
- 1. Both institution and monitoring body have to know law and regulations
 - 2. The institution must know what actions that should be taken to fulfill the requirements of law and regulations
 - 3. The monitoring body's task is to make an assessment of whether the institutions actions is enough to meet the requirements of the law

Method

Two tiers of monitoring of childcare institutions

1. Individual monitoring
2. Audit of the institution's management system

Individual monitoring has two functions: It is a possibility for children to come up with complaints. Are they treated well? In Norway the child can call the county governor to make a complaint at any time, 24/7. On the one hand we shall deal with the day-to-day complaints that children may have. We will by asking the children look at what we need to ask the institutions in the audit. The individual monitoring has two functions: It takes care of the individual complaints and situation and is a background for the audit of the management system.

What kind of management system do they have, how is the day-to-day management organised in order to uphold the law? These are the issues addressed in the audit of the management system.

Individual monitoring

- Basis: Legal authority
- Carried out by two persons
- The children's individual situation is the main subject
 - Interview with all or some of the children is essential
- Following up the individual situation with staff
- Written report with conclusions

Q: Do you have a specific form for the individual monitoring, questions that you usually ask?
EBR and JL: No.

Audit of the management system

- Definition
Systematic investigation to make sure that activities an the belonging results are in accordance with the demands in law or regulations
- *Partly based on the results from the individual monitoring*

Audit of the management system

1. Decide who and what to audit
2. Choose the relevant sections in law and regulations and what this implies
3. Notify the institution of the audit
4. Timetable for the audit
5. Meeting with the institution
6. Interviews with staff and verifications
7. Meeting with the institution where conclusions are drawn
8. Report of the conclusions
9. Report from the institution on corrective action taken to eliminate the detected nonconformities

A decision has to be made on who and what to audit.

Q: Who makes this decision? **EBR and JL:** The institution does not need to volunteer. Every institution has one audit per year. The theme of the audit is partly decided by the ministry.

Q. What are verifications? **EBR and JL:** If the staff says they keep a journal of when they use physical restraints we will look at this journal, verifying its existence. They must document what they are doing.

Timeline for monitoring

ACTIVITY	WEEK							
	1	2	3	4	5	6	7	8
A. Creation of monitoring team	X							
B. Notice of monitoring	X							
C. Preparations		X	X					
D. Individual monitoring				X				
E. Report					X			
F. Preparations based on the individual monitoring					X	X		
G. Management audit							X	
H. Report								X

We look at how the organisation works; we cannot use the children to find out how the organisation works. In the individual monitoring we look at how the children are cared for in their own opinion. The organisation however also needs to be monitored and to be looked at, the structure.

Institutions are operated by the state in Norway but you also have private institutions **Q:** Is there a different in terms of management? **EBR and JL:** No, they are treated exactly the same. The privately operated institutions go through an accreditation process to obtain permission to run an institution. Accreditation is made by the regional state body with responsibility for institutions also for the private institutions. As a social worker I cannot go directly to place a child in an institution. In the Norwegian system we cannot always link the individual monitoring with the audit. This link is in this discussion

Q: Psychological question: the children in the institutions will know how to answer correctly to be good for the staff so they know the correct answer. The same may be true for staff. They want to be good for the director so they will also know how to answer the questions correctly. Maybe you have excellent questionnaire or maybe you have very independent people, how do you solve this conflicting issue? I ask since for 15 years I have worked with offices, and I have heard answers. **EBR and JL:** We have not seen any attempts to hide the truth. It is not how the individual work is carried out it is more on the situation as such. For example we would ask how the staff is educated. They may respond that we have courses in this and that and we then ask down the rank if these courses have been implemented and they would respond yes there has been one course but I was sick or I hadn't started my employment yet. Very few have actually attended a course. In this way we would look at the truth and what has actually come about of the plans. **Q:** When is a child telling the truth?. **EBR and JL:** The people asking and interviewing children have been trained in listening to and talking to children.

We are pleased if the institution is prepared for the audit. Maybe they have gone through their own management system. How they secure children's safety through their management system. If they have done this we are pleased.

Q: Can we get the questionnaire you use, can you show them? **EBR and JL:** The details in the questions are part of the preparations of the individual audit. Different institutions have different questions asked to them. The questions are sometimes constructed during the conversation. When you have done this for some time you don't bring questions you use a check list, what do you want to look for.

Regarding the earlier comment re children being able to know what to answer in order to say the correct words. This is probably very different in the different countries in the region.

Different from if you would expect to stay in the institution or if you are likely to leave after say six months.

Bragi Gudbrandsson: Possible to use previously institutionalised children to ask the children presently in the institutions. In Iceland we had these interviews made by young people and we found it very useful. Maybe it would be even more useful in countries with a strong tradition of institutionalisation. How can we try to develop a method that goes to talking to young people? **Q:** When you use young people did you train them? **BG:** It is important to use persons that can connect to children.

Q: Have you in Norway evaluated the efficiency of the method of monitoring? You do everything with institutions and everything is good in the institution. A child runs away from the institution etc. the results of your monitoring was then wrong. Have you evaluated it? How long has it been in existence? **EBR and JL:** Up until now it has not been evaluated. It has been in function for three years. We conclude that we have enough facts to say that the institution is OK. If we do this it doesn't mean that all is good. **Q:** Is the ministry satisfied with your work? **Björn Bredesen:** Yes the ministry is satisfied and we continue to discuss improvements. **EBR and JL:** We are not experts over night.

An individual audit doesn't take eight weeks but it does take weeks from the first action creating the report etc.

What is a management system?

- Ensuring that relevant legislation is known and understood by the staff
- Ensuring that the legislation is fulfilled and that deficiencies are prevented by:
 - Risk assessment
 - Establishing necessary routines
 - Participation from the children and staff
 - Education of the staff
 - Registration and learning from mistakes
 - Evaluation/control that the institution is run according to the established management system (self-monitoring)

We are anxious to see that also children are involved in the work. Necessary routines to secure the rights of the child. Is there a risk assessment in place? Do they know when risk situations occur? Where is it necessary to have routines in order to secure children's experiences used in the management system? Do they secure the education of the staff in order for these to act in accordance with the needs and the rights of children? Is there learning from the mistakes, is there an evaluation in place. This system will secure the rights of children.

Risk assessment analyzes

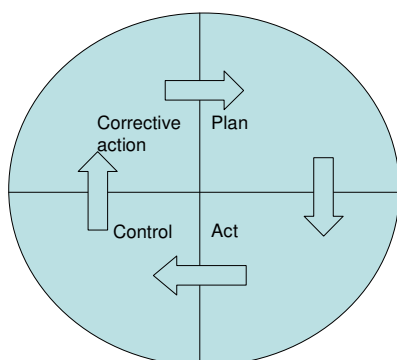
- What can go wrong?
- What can we do to prevent it?
- What do we do to reduce the consequences if defects happen?

Management system = Internal control

ISO-definition:

Internal control is all systematic arrangements the institution does to make sure that activities are planned, organized, carried out and maintained according to law or other regulation

In Norway we have legal demands for internal control. If you have a good management system including the internal control mechanisms there is a better chance that children are well treated.



Deming's circle for quality improvement

Any activity will need a plan. When actions coming out of your plan have been implemented you will need to control them. Then you will need some corrective actions. This knowledge you will need to put into new corrective actions. This is the basis for a good management system. How do the organisations respond to the demands put on them? Chances for decent treatment of children are bigger than if not. The activities are planned the actions have a built in control system with corrective actions.

Summary – “The Baltic Monitoring Model”

- 1. Common criteria for monitoring:
 - Convention on the right of the child
United nations 20.11.1989
 - Rec. no 5 (2005) Council of Europe
- 2. Individual monitoring – Interviews with children - Report
- 3. Using the results as basis for an audit on the management system of the institution - Report

This is the summary of the proposal for monitoring in the Baltic Sea Region. Look at contacts with the biological family. The follow up from the individual monitoring. How are the rights of the children secured? Like the contacts with the biological family. By including such contacts in the system, in the management of the institution, these rights are secured for all children in the institution. That is the basis for the management system method.

Questions and clarifications.

Björn Bredeesen: In Norway we are satisfied with the system and the county of Hordaland have been the advisors to the ministry. This is one of the most advanced systems we have on monitoring children’s institutions. It will however need to be adjusted to fit other countries. There are some principles on this. There is an ongoing discussion on how many visits should be made to each institution.

Galina Semyia: In Russia we are discussing the problem of independent control of the situation in the institutions. Do you have any system of independent control? This is a problem in Russia. We cannot always believe in the specialists responsible for the security and rights for children in institutions. We are discussing the possibility of introducing independent control mechanisms.

BB: In Norway maybe in some years it will move to another body but at the moment this is not the case.

The county governor is an independent body.

Agneta Björklund: In Sweden we have authorities that are independent bodies, they are financed by the state but in that way they function they are independent from the state.

BB: For quality criteria in Norway we use the child rights protection law, child should be protected from all forms of abuse. The same questions are asked to children and then to the

staff. When talking to the children we use two different issues. The problem is that children may say what they think they should. We sometimes come back with a psychologist.

Kristīne Veispale: In Latvia we need to be very careful with the information given to us by children. These must know that their privacy is secured. It is a good idea to use peer to peer communication.

BG: In Iceland the peers doing the interviews with children were paid.

Ewa Wiczorek Polish colleagues divided the task into three different parts, the dignity, the protection from physical and psychological mal-treatment and the protection from sexual abuse. Rules should be stated in a legal document for the institution. Rules into how to deal with children, if they award prizes for good behaviour etc. Procedures should be written on what to do when the rules are broken. Information so that everyone knows the rules and the administration and the prevention how to prevent the reoccurrence of bad behaviour. Information to children taught what is correct and what is not through play and through various activities. We also wanted to add that a very careful staff selection and continuous in-service training in particular is important, especially when the institutions have breached the rules or regulations. A background of staff to be hired should be made

Anniki Tikerpuu: A number of issues have lately been raised where abuse have taken place in residential care institutions in Estonia. The same kind of problems have happened in all countries, in Norway Iceland and in Sweden and we need to address how we can prevent this. We have in Estonia started training the staff of these institutions who have communicated with us and asked for supervision and training.

Thursday the 13th of March

Session II:

Chair: Mr Bjørn Bredeesen, Deputy Director General, Norwegian Ministry of Children and Equality. Training of staff implementing the monitoring

Short recapitulation of the main points in the training programme. How to use international recommendation as a basis of monitoring. Example. **Mr Jarle Landås, County Governor's office in Hordaland.**

Group exercise, monitoring, the interview situation. **Mr Jarle Landås, County Governor's office in Hordaland.**

Example

- You are responsible for the monitoring of a childcare institution. What will you do to;
 - protect the dignity of the child
 - protect the child from physical or psychological ill-treatment
 - protect the child from sexual exploitation or abuse

Discuss with each other in small groups this example: We would want you to consider these issues. When you monitor, what is important for institutions to do in order to protect the rights of the child. Start by thinking what institutions can do. How can we monitor to make sure that institutions protect these rights?. Start by being the institution and then continue to be the person doing the monitoring.

Galina Semiya: In Russia children rarely stay in institutions close to their biological family.

JL: How can you counteract this? How have you built into your system increased contacts with families?

Risk indicators: one is the staff-child ratio. Of course this is important, but if there are many children and not so many in the staff they have to secure this in a better way to ensure the protection of the child. This is the management system, if there are many children, the management system is of high importance. How do they properly secure the rights of the child? Is this done properly? And the risk indicators are important. When we go to the audit to look for the management system, we ask the institution what they think of the system if it is enough to secure the rights of children. If they don't secure them properly there is a risk that maybe abuse occurs. In the monitoring of the management system you look at what is done to secure the safety of each child. The audit of the management system can be done in a big institution. We do it in small institutions but we use the same methods in big organisations in order to secure the production in the oil fields for example. It can be used in small and big institutions. In big institutions the management system is of greater importance. How are children's rights secured?

Pilot training, presentation of model of training programme. **Mr Jarle Landås, County Governor's office in Hordaland.**

Sketch for training program

Staff Monitoring Children's
Institutions

Training program

- Target group is staff responsible for monitoring and experts conducting monitoring
- Based on the Norwegian model of training
 - Audit of the institution's management system
 - Audit of the child welfare in the municipal level

Method

Two tiers of monitoring of childcare institutions

1. Individual monitoring
2. Audit of the institution's management system

Individual monitoring has two functions: a possibility for children to come up with complaints. Are they treated well? In Norway the child can call the county governor to make a complaint at any time of the day. On the one hand we shall deal with the day-to-day complaints that children may have. We will by asking the children look at what we need to ask the institutions in the audit. The individual monitoring has two functions as taking care of the individual complaints and situation and as a background for the audit. What kind of management system do they have, how is the day-to-day management organised in order to uphold the law.

Training program

Two sessions

- Four days of training in monitoring skills, primary level
 - One day with evaluation of monitoring experiences
- Mix of lectures, role play and group work

Individual monitoring

- Basis: Legal authority
- Carried out by two persons
- The children's individual situation is the main subject
 - Interview with all or some of the children is essential
- Following up the individual situation with staff
- Written report with conclusions

Q: Do you have a specific form for the individual monitoring, questions that you usually ask? Such forms would be useful.

JL: The specific questions or areas to work with are developed as part of the preparation of the monitoring.

Summary – “The Baltic Monitoring Model”

- 1. Common criteria for monitoring:
 - UN Convention on the rights of the child
United nations 20.11.1989
 - Rec. no 5 (2005) Council of Europe
- 2. Individual monitoring – Interviews with children - Report
- 3. Using the results as basis for an audit of the management system of the institution - Report

This is the summary of the proposal for monitoring in the BSR. Look at contacts with the biological family. The follow up from the individual monitoring. How are the rights of children secured? Like the contacts with the biological family. By including such contacts in the system, in the management of the institution, these rights are secured for all children in the institution. That is the basis for the management system method.

Audit of the management system

- Definition
Systematic investigation to make sure that activities an the belonging results are in accordance with the demands in law or regulations
- *Partly based on the results from the individual monitoring*

What is a management system?

- Ensuring that relevant legislation is known and understood by the staff
- Ensuring that the legislation is fulfilled and that deficiencies are prevented by:
 - Risk assessment
 - Establishing necessary routines
 - Participation from the children and staff
 - Education of the staff
 - Registration and learning from mistakes
 - Evaluation/control that the institution is run according to the established management system (self-monitoring)

Timeline for monitoring

ACTIVITY	WEEK							
	1	2	3	4	5	6	7	8
A. Creation of monitoring team	X							
B. Notice of monitoring	X							
C. Preparations		X	X					
D. Individual monitoring				X				
E. Report					X			
F. Preparations based on the individual monitoring					X	X		
G. Management audit							X	
H. Report								X

Monitoring skills - lecture

- What is monitoring, why monitoring
- The Baltic model of monitoring
 - Individual monitoring and audit
 - The different stages in monitoring

Monitoring skills - lecture

- Legislation
 - Convention on the right of the child, United nations 20.11.1989
 - Rec. no 5, (2005) Council of Europe
- Communication with children
- Interview technique
- How to formulate deviations and nonconformities

Rec. no 5, (2005) Council of Europe

- Par. no.14.
The right to respect for the child's human dignity and physical integrity; in particular the right to conditions of human and non-degrading treatment and a non-violent upbringing

Exercise – training on method

Working in groups preparing and carrying out an audit

- Preparations for audit
- Role-playing
 - opening meeting
 - Interviews
 - summing-up conclusions
- Formulating nonconformities

- Develop the Baltic model of monitoring/audit
- Develop training program
- Build up competence of the instructors
- Pilot

Discussion and interventions from the experts on the proposed model and training programme

Q: I would want to know the emotional state of a child in the institution, his physical comfort and health, I would as an administrator want some quantification where institutions are rated on a scale. Do you have some quantifications so that you can count the marks for a specific institution? Do you have some quantitative data in your system of monitoring? **JL:** In Norway we have a directorate running the institutions and the regions that we mentioned yesterday and we have statistics and data and some qualitative data since we have regulations for the quality of the institutions. We know how many children how old they are why they are there and so on.

GS: Is it possible to use the comparative measures between the institutions on how far they have come in meeting the requirements? This is a six and for example in one institution the mark is a twelve. There are institutions where two children share one room. Can we measure these issues between institutions? **JL:** This is a difficult question, since it is difficult to compare between institutions. These must be based on a child's needs. **BB:** We would use evidence based methods.

KV: In Latvia we compare institutions on an average on how much complaints that appear. In Latvia there is a children's hotline and this is a way through which children may complain.

GS: So what happens if there is no complaint mechanism? What if the only telephone is in the room of the director? In some institutions there are no possibilities to make a phone call.

KL: In Latvia a child can call from a telephone in the street and call this number for making a complaint. Children make more complaints and this is a measure of high quality we believe.

BG: One comment on the question on quantitative data, relevant information, it seems to me after having read the research on abuse occurring half a century ago in different countries in the institutions, there seems to be three positive risk indicators: staff-ratio, the number of staff per child, this is the first, the second is the age distribution, the more distribution you have in children, the higher the risk, the third is the quality of the environment, housing etc the physical surrounding, the more crowded the institution is the higher the risk of violence and abuse.

Discussion continues.

BG: Stating the standards – you have mentioned a number of instruments. I would also want to mention the Quality4Children standards. These are now being evaluated by European Commission for possible use and assessment if they can be helpful. The UN Guidelines developed for children in out of home care will most likely be adopted later this year. They may also be useful. In nature they are however very abstract.

JL: There is a need to really discuss the fact that interviews with children need to be made at each monitoring visit. At the beginning we tried to talk to the staff and this was not found to be correct, children talk more about things that really are there. An institution you hear nothing from is not a good institution. We need a strong focus on the rights of children and on the basis, the foundation, the legislation of child protection and child welfare. You can also use the national legislation, but since this is not known to all, we chose to use the CRC and we can also use the Rec 005 (2005)

JL: In all countries we can analyse if the CRC is in the legislation. All staff doing monitoring in Norway are trained in communication.

KV: According to Latvian experience we started to look at our legislation from the starting point of the rights of the child. We tried to connect with media and we raised issues like violence and the social rights. There is one institution that does this work. We are open to contacts and people can call us anytime we work and they can ask questions on how we conduct the monitoring work. This setup costs money and a political decision is needed. In Latvian legislation all people working with monitoring need to have a certificate they need to attend the course of children's rights protection, interview techniques and international legislation. The change in practices and routines within the institutions is however slow. In Latvia the staff doing the monitoring are coordinated, one part of it is education and training according to our needs and problems, we have had problems in communication with children, so we have invited specialists to do this, now we have a problem with burn out as the staff is overworked.

The Latvian monitoring is done in one inspection, for example we have one part for children, one part for staff and one for administration. It is mandatory that we speak with children. Sometimes we look at the documentation first and then do the interviews. We may start with numbers for example or with questions on how they communicate with other institutions and with parents and then we can ask children how often they meet parents. We may then go on to talk about staff education since this is really a problem in Latvia. Staff is not well paid. The personal files of the children should also be monitored. We also ask for personal rehabilitation plans for each child. For the follow up: at the end of each inspection we summarise our conclusions and what they need to do to change things we found not up to standards. In two weeks or one month they need to send us a report on what they have changed and this report may result in us coming back once more.

GS: In Russia each institution must be accredited by the control mechanism. This programme is not very good.

Trine Birkemoose: Denmark also have a similar practice.

AT: In Estonia county governments are responsible and they have to report each year to the ministry and to the government. The problem is that the counties do their work sometimes very well, sometimes not too well. We have discussed to set up a central institution like the Latvian model. But if they should maintain this we have a system in place but the execution is a problem. The staff training and all this, if you are a social worker you know children's rights etc but they need to have a consensus on what they are doing. You need basic principles and common aim.

TB: In Denmark after the reform of the administration, most institutions are monitored by the municipalities but since legislation is very general the municipalities may do this in their own way. They control themselves in this sense.

EW: In Poland accreditation only concerns institutions that volunteer to get it. If an institution applies to become accredited the inspection look at staff qualifications, the work and the documentation. It is important to get accreditation. **Q:** How are inspections made in Poland? **EW:** Standards are the same in the inspection as in the accreditation. After the inspection recommendations are made. These are more for educational institutions and not social institutions both for care and for education.

KV: Accreditation was too formal according to the Latvian experiences. This is why the inspections were set up in its present form.

AT: There are persons responsible for monitoring but this is only one of their tasks. We have a number of persons doing this. We do not know if these persons should be the best to do training with. The county government is running the monitoring. It was considered to give this task to local communities. We are interested in the training and the programme but would really need to find people for the training. There is also a possibility to train trainers. We need the knowledge on how to do this.

GS: What is the difference between monitoring and controlling? I don't think there is a difference between the two.

JL: How do you perceive control? We have a lot of specialists to secure the children's rights. The municipality must go every year controlling that the rights of the child are respected. There is always an element of control in monitoring but it is more than this.

AB: It is important to have a common understanding of the words. There needs to be a common understanding of what do we mean by monitoring and other words that we use.

JL: Control and monitor has to do with the relationship between the means and the end. You can by controlling give instructions as to how you should guarantee the rights. The institution has the option of choosing between different ways to guarantee the rights. The institutions can do it in different ways. You may well ensure children's rights in institutions. Audit is to investigate, analyse, and give recommendations. Audit is connected to how resources are used.

GS: In Russia I can suggest that some regions can take part in the programme and they can suggest who should participate. For example in Moscow region and in Volga region it would be very interesting for them. We usually say that it is important to change the conditions for children in institutions. The recommendation of CoE is very important. In Russia this will be suggested to the monitoring staff. What shall be changed in management system and in staff education to provide and to secure the rights of children in institutions? Difficult to change the mind of the staff, and it was difficult to give this up. And to work according to the recommendation means changing the minds of the staff, and I would like to do this.

EW: In Poland for such a training we would identify deputy directors in institutions that are responsible for upbringing. As for the training we would need to know the financial side of the training. The deputy directors do their own monitoring it is a plan called pedagogical control which involves elements of support. And not only control. The finances of this training however need to be made clear.

Christina Godarve: Both the county and the municipalities have the responsibilities to supervise the institutions. The question in Sweden is if this dual responsibility should remain or if only the County Councils should keep the responsibility. If it is just the county councils that will continue these would not need the training, but if the municipalities should continue to monitor, they would. By the end of this year we will know if the responsibilities will rest only with the counties or if the responsibility will rest also with the municipalities, the latter will be interested in the training should they continue to do monitoring.

Final session:

Björn Bredeesen: Want to hear from you how a pilot could be organised or if you have suggestions on how to develop this model, it should not be Norwegian it should be Baltic.

EW: If the countries volunteer we can say this right away and how long do we have for making the final decision and who do we approach can we repeat the programme without violating any copy right and what support can there be?

BB: The process now is that after this session, we will consider how to proceed and the idea and the plan is to develop something for the WGCC meeting. And then it is up to the WGCC to make a decision on how to proceed and continue. When we have had that meeting we would know much more on how to go on. I am sure we will have some plans on how to proceed. What we would need to look at is if we should train monitoring staff or if we should train trainers. Shall we rely on one or two countries or if you think it would be good to use only one country.

Agneta Björklund: Who is interested and who will be able to identify participants?

Trine Birkemoose: I don't think I can answer for Denmark in this matter. The spread of responsibility in this makes this difficult but I know that the service board have contacted a number of municipalities that are interested and I believe it would be of interest to them. In the Danish legislation children's rights are not mentioned, we tend to take it for granted but I do believe that it would be of interest.

Kristine Veispale: I think that I have some doubts about Latvia's participation in the training. We are more than one monitoring institution and cannot now imagine how we could use the training. For Latvia it would be more valuable to train trainers. It would be nice to hear other countries' monitoring work and their good experiences. From Poland, for example, we have here at this meeting experts form educational sphere but not from social sphere so it would be good to have experts from different kinds of institutional work present. I would propose that we use the pilot as a training for trainers.

BB: Developing the proposal further, we would need contacts with more countries and we are fully aware of the fact that Latvia has an active approach to this.

KV: We can share our experiences and our model, and we are open for continued cooperation.

AT: As the situation will change, the local municipalities would run the institutions we in Estonia would prefer train the trainers model.

Bragi Gudbrandsson: In Iceland we only have one monitoring person. S/he needs training. There is one independent expert monitoring the seven institutions with a total of 60 children that we run.

EW: Poland is also more interested in train the trainers set up.

Björn Bredeesen: Financial aspects: when we do things in the child cooperation we depend upon financial support. We all pay to the cooperation but when we do additional programmes we need to look for extra financing. We have been financing two projects and this could also be used for this part. We have also had money from SIDA, the Swedish Development Authority Baltic Sea Unit. Some international foundations have also given us resources. If we are to have a training programme we may well be able to finance part of it through the EU Leonardo programme.

Lars Lööf: How do you around the table feel about having the training international or having it unilateral?

Q: How many people take part in one training?

JL: Usually we have 24 at each training. **Q:** Which is the smallest group you can handle? Five?

Q: How long does the training last? The training is for four days.

Q: How many hours? The cost of the training what is this?

AT: In Estonia: we may not have too many people that would want to be trained, it may be difficult to arrange a full training course with only Estonian participants making it more reasonable to have two or three countries together. This set up could also add value, especially if we talk about training the trainers. Very valuable. If we talk about only training staff doing monitoring then a national staff would be much easier.

BB: Overall this group would advice the small group to suggest the WGCC to proceed with this and try to develop this.

Galina Semiya: I return to Moscow and I tell you we are ready to be a pilot. In Moscow we have 40 institutions. We would want to be a pilot region. You will come to us to talk about the model.

BB: We will need to discuss and we note the interest and if you have ideas by things you will want to deliver, please send it to Lars.

All participants joined in thanking Estonia for the arrangements.

End of expert meeting

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