**Written contribution of the Hungarian NHRI to the general discussion on "Children’s Rights and Alternative Care"**

**Education**

*Report No. AJB-416/2021 (Kalocsa Special Children’s Home):* similarly to the experience gained during the earlier investigations, we detected a several-year lag in the education of the children raised in children’s homes relative to their age, furthermore, several subjects were taught by teachers unqualified to teach the subjects in question at the school, and the documents related to the conditions of the education of the student in question from the previous care institution were not available either (e.g. completed classes, special educational needs, development needs).

*Report No. AJB-6852/2021 (Sellye Special Children’s Home, report written after the Commissioner’s COVID-related visit*): According to the report, the education of children living in the group home took the form of home schooling. However, the children were not motivated to get prepared for the school exams, their days were spent idling, their preparation for exams was not ensured at the children’s home. (Home-schooled children do not attend school on a daily basis, they only have exams at school on two occasions, proposals on preparing them for the exams were made by the expert committee or the parents, while in the case of those children who live in group homes, it is the home that takes care of such preparation. Now this form is officially called an individual learning schedule.)

**Reasons for removing children from their families**

*Report No. AJB-2026/2017:* Nearly one third of children taken into state care are raised in children’s homes primarily due to their family’s financial situation.

In those cases where there is a possibility to extend the scope of financial and in-kind contributions defined by the Szt (the Social Act), and where child welfare agencies can also help the families in need, fewer children are removed from their families for financial reasons.

At the same time, however, putting children in an unfavourable financial situation into state care cannot be prevented solely by providing financial support. The experts stressed the significance of the families’ willingness to cooperate and the support provided by the heads of the municipalities. Those who work in basic care services deem it important to provide support with obtaining marketable qualifications, to create jobs and to give family life skills advice.

The lack of council and social housing, as well as substitute parents and institutions providing temporary care, furthermore, the uneven territorial distribution of the latter cause problems. It would be desirable to increase the places of temporary care and to ensure territorial distribution adjusted to the needs but these would not solve the structural problems anyway.

The principle of representing the child’s best interests, the right of the child to be raised in his or her own family, as well as the guaranteed prohibition of removing children from their families solely for financial reasons can only be enforced by taking coordinated and regular social policy measures aimed at solving the problem.

*Report No. AJB-2875/2020 (Kossuth Children’s Home)*: Based on the information that we have received, in the case of 51 percent of the children cared for at the Children’s Home, **housing problems, the social status of the parents, as well as financial difficulties** **were indicated** as the primary or exclusive cause of taking children into state care.

**Disability**

Those children who require nursing and care (typically those with severe and multiple disabilities) and who are in state care are placed in residential social institutions, as a consequence of which they are affected by all the dysfunctions of living in an institution with a very high number of residents (the lack of physical and personal conditions, abuse, lack of development, restrictive measures, etc.). All this is allowed by the Child Protection Act (Gyvt), as pursuant to Section 79 (4) of this act, in the case of children who have not yet reached the age of 12, the place of care for the child should be with the foster parent in each and every case, except for the cases specified in Section 7(2), while in the case of all children who have reached the age of 12, or if this is not possible, then a children’s home, a home for people with disabilities or mental patients, or supported housing as specified in Section 75 of the Social Act should be designated as their home.

Due to the lack of community-based support services, the parents cannot raise their children in their small homes, so they are compelled to place their children in residential homes in order for them to receive services suited to their individual needs (while the dysfunctions of institutions with a high number of residents continue to affect them) – report No. 261/2020, report No. 816/2021 entitled Harmónia.