



Fact Sheet N° 9

A global policy for Children and the Family ENSURING CARE PROCEEDINGS: THE DECISION TO SEPARATE A CHILD FROM HIS/ HER FAMILY ENVIRONMENT

In some cases, prevention measures are not successful and the best interests of the child require that a decision of separation be taken. Such a decision supposes that guarantees be applied. In particular, it is necessary that all possible prevention measures be tried before adopting the decision. The child's separation from his/her parents is a measure of last resort. In addition, the decision process should be based on well determined planning.

Objectives

At the moment of assessing the child's separation from his family environment the importance of providing him/her with an adequately "normal" existence must be considered. With that end in view four objectives should be taken into account:

1. Intellectual activity: so that the child does not become intellectually insufficient and /or may be able to recuperate the losses that might occur (so that he may be capable of attaining the proper level of independence for his age).
2. Social integration: the capacity to live in a group of children of his own age.
3. Affective assessment: the capacity not to hurt himself, nor to hurt others and not to let himself be hurt by others.
4. Family competence: the child's capacity to enjoy the healthy side of his parents, however limited they may be, without being overwhelmed by their pathological aspects that he/she will have to become aware of.

Achieving such objectives would prevent the child from becoming disorganized, despite the separation, if it has to happen.

Information

In the process of separation, consideration must be given to the following:

1. Separation from very inadequate parents can protect the child psychically but on its own it does not facilitate the treatment and cure of the child's psychic problems caused by the trauma he/she suffered before being separated.
2. The separation of the child from his own family, even if they did not treat him/her properly or even mistreated him/her, can result in a trauma if it does not go hand in hand with specific psychological care. Care of this kind should make it possible to determine the emotions experienced by or denied the child by loss of his/her family of origin and his/her placement in an institution or in another family.
3. An important problem stems from the lack of the right emotional distance between the professionals and the parents. It is important that all those

who work with children should have the greatest respect for the parents but without forgetting that the priority is the defence of the child's best interests.

To pave the way for decision making it is best to ask oneself certain questions to which the answers are assessed in terms of the child's best interest help to clarify the doubts:

1. What are the child's urgent needs and how to respond to them?
2. What actions and resources have been applied so far and with what effects?
3. In which way is the child's situation better for the separation?
4. What are the objectives of the separation?
5. Can alternative measures to the child's separation be used without putting him/her at risk?
6. Have all possible useful means been taken into account?
7. Can we fix a calendar of action to achieve the objective?
8. What do the child and the family think about the separation?
9. What tasks should we tackle to ensure the child's immediate welfare?

Importance of time

Caring procedures often require quick decision making, since they could otherwise have harmful effects that persist or show up with the passage of time. In many cases the events which they started from are not so clear, have emotional or psychological consequences that do not

show at a first glance, are actions that are not life-threatening for the child but are often doing him/her irreparable damage in limiting and conditioning his/her chances for personal growth.

Furthermore, in such cases the best interests of the child call for rapid and effective decision making; the **separation of a child from the family is never desirable, but if one is convinced that it is necessary, it should be done immediately.**

Occasionally the problem is not the separation as such, but the time spent and wasted in making the decision to separate him/her from the state of risk and neglect. For example, when the wait was so long that the child suffered intense and prolonged traumas, the chances of a cure seem slim. The younger the child, the worse the impact a more or less prolonged period of doubts about decision making will have.

It is a matter, therefore, of preventing children *suffering unnecessarily from temporary circumstances. With that end in view, the situation of children with family difficulties must be reviewed systematically*, so that a decision can be taken in good time. But at the same time it is a question of rejecting any false urgency *so as to leave each actor the chance of personal growth and to guarantee the professionalism of the process.* It is of course a difficult paradox.

ISS/IRC, April 2005

For more information:

ISS/IRC, Editorial of Monthly Bulletin n° 8-9 / 2005 **The «paradox of time» in the adoption process**
http://www.iss-ssi.org/Resource_Centre/Tronc_DI/tronc_di_edi.html

We are interested in your opinion! To tell us your experiences, ask us your questions about the themes addressed in this file, or to send us your suggestions for changes, don't hesitate to write to us at irc-cir@iss-ssi.org. We also invite you to share this file with other interested persons in your country. Thanks in advance!

The ISS/IRC would like to thank the Canton of Geneva, Switzerland, for its financial support for this Fact Sheet project and the Committee for Inter-country Adoption of the Presidency of the Council of Italy for its funding of the Handbook "The Best Interest of the Child and Adoption", which is the basis of several Fact Sheets.