

Removal as a Means of Managing Domestic Violence. Trauma and Management. Good Practices in Removal.

7th training



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The Professionals during the... Removal

"Being responsible for someone else's life is a common trait in the western, developed world"

(Furlong, 2003)

Removal

- ❖ In this workshop the concept of removal refers to the whole process that follows once a decision is taken to end a child's cohabitation with his/her biological parents or the people legally exercising custody or parental care or guardianship until the child is placed and adapted in an alternative care setting.

So which child are we talking about?

- ❖ A Child who is separated from his/her parents, for a short or long period of time, who, after a well-founded Social Research, is found to have serious consequences for his/her physical and/or mental health by remaining in the family environment

So which child are we talking about?

- ❖ Cases where there may be a removal of the child from the parents are:
 - ❖ Parental deportation
 - ❖ Parental deportation
 - ❖ Death
- ❖ Termination of parental rights
 - ❖ Abuse or neglect
 - ❖ Inability of the parent to protect the child from actual or potential danger

Greece

In Greece, 70% of the reasons for removing a child from his/her family and moving him/her to a facility designated according to the child protection system are abuse or neglect by his/her biological parents (Peraki, 2018) while the child, after being removed from the family, is required to undergo the impersonal experience of a cold police station or a hospital where it is unknown how long he/she will remain until the whole bureaucratic process is completed and he/she is placed in a foster family (Koutsoukou, 2013).

Removal

- ❖ Removing a child from his or her environment, regardless of the reasons for doing so, is a traumatic experience (Advancing California's TraumaInformed Systems, 2010).
- ❖ According to research, the removal of children from their homes was described by children as "clumsy." They faced a range of stressful situations such as lack of information, terror resulting from the unknown, and lack of recognition of their feelings of pain and loss. (Folman, 1998)

Removal

- ❖ Clinical research shows that children who are separated from their parents are "overwhelmed by feelings of abandonment, rejection, unworthiness, guilt and powerlessness" (Folman, 1998)

Removal

- ❖ Research conducted on adults who were removed from their environment due to abuse compared to children who remained has shown that adults who were removed as children are more likely to exhibit substance-related behaviors, psychotic or bipolar disorders, depression, anxiety disorders, two to three times higher delinquency rates, and criminal convictions for violent offenses (Côté, Orri, Marttila, & Ristikari, 2018)
- ❖ The process is an event that causes children to question their understanding of themselves, their interpersonal relationships and the security and stability of the world they live in (Mitchell & Kuczynski, 2010)

Removal

- ❖ It is easy to wonder that considering the effects that removal has on children, then why are they removed???
- ❖ The truth is that some families cannot show signs of improvement or a willingness to rehabilitate and provide a safe environment in which children can live." (Jones. , 1987).

Removal

- ❖ However, in most cases, the courts only consider whether a child is at risk if left in the care of his or her parents, without considering the harm resulting from the alternative - the removal of that child from his or her home and family (Trivedi, 2019).
- ❖ And while removal may be evaluated as the best or even the only solution for a child, reality shows that even in abusive situations, breaking the bond between parents and child is psychologically damaging (Trivedi, 2019) and even placement in foster care or foster care after removal from biological parents has negative psychological effects on the child's psyche (Bonagura, 2008).

Removal

- ❖ Generally, a professional may treat the removal process as a "quick, isolated event" however the removal process itself is a milestone in a child's life as children will often bring back that particular memory in their minds. The process of reliving causes a great deal of trauma for children (Mitchell , 2016). During removal, most children experience feelings of anger, sadness, and depression (Chapman, Wall, & Barth, , 2004)

Decision Making Legal Framework

Article 40 - Code of Criminal Procedure (Law 4620/2019) - Obligation of individuals

- ❖ Even private individuals must, in the specific cases provided for by law, if they themselves perceive a criminal act that is prosecuted ex officio, report it to the prosecutor of the prosecutor's office or to any investigating officer. Such a report may be made either in writing in the form of a report or orally, in which case a report shall be drawn up.
- ❖ The report or oral statement must include all details concerning the act, the perpetrators and the evidence.
- ❖ If several persons have been informed of the offence, each of them shall have a separate obligation to do so

Article 38 - Code of Criminal Procedure (Law 4620/2019) - Obligation to report a criminal act

- ❖ Investigating officers must communicate without delay to the competent public prosecutor anything they learn in any way about an offence prosecuted ex officio.
- ❖ Other civil servants, as well as those who have been temporarily assigned to public service, shall have the same obligation in respect of the offences referred to in para. 1, if they have been informed of them in the course of their duties.
- ❖ The notification shall be made in writing and shall contain all available information concerning the offence, the perpetrators and the evidence.

Article 23 -Law no. No. 3500/2006 (Government Gazette 232/A/24-10-2006) For the treatment of domestic violence and other provisions.

- ❖ A primary or secondary school teacher who, in the performance of his/her educational work, in any way becomes aware or discovers that a crime of domestic violence has been committed against a pupil, shall inform the director of the school unit without delay. The head of the school unit shall, without delay, communicate the offence to the competent public prosecutor, in accordance with the provisions of Article 37(1) of the Code of Criminal Procedure, or to the nearest police authority. The same obligation shall apply to teachers and directors of private schools, as well as to those in charge of all types of pre-school education units.

Article 23 -Law no. No. 3500/2006 (Government Gazette 232/A/24-10-2006) For the treatment of domestic violence and other provisions.

- ❖ During the pre-trial and hearing proceedings, the head of the school unit who reported the offence to the competent authorities referred to above and the teacher who was informed of or discovered the offence shall be called as witnesses only if the information cannot be proved by any other means of evidence.

When are children removed?

- ❖ Each prosecutor's office and each prosecutor follows a different way of approaching, dealing with and handling each complaint and therefore each child's case.
 - ❖ prosecutors in a small number of cases give directions and detailed information about the case to the social worker in charge before starting the social investigation
 - ❖ order the social investigation without the necessary information needed to conduct the investigation (specifically noting the type, origin and exact content of the complaint, the specific characteristics of the child, etc.)
 - ❖ absence of a uniform protocol and rules for all prosecutors' offices
 - ❖ the absence of the social services provided for by the institutions in the courts of first instance.

When are children removed?

Article 1532 - Civil Code - Consequences of Negligent Exercise

1. If the father or mother violate the duties imposed on them by their function regarding the care of the child's person or the administration of their property, or if they abuse this function or are unable to fulfill it, the court may, upon the request of the other parent, the closest relatives of the child, the prosecutor, or ex officio, order any appropriate measure.

When are children removed?

2. The court may, in particular, entirely or partially deprive one parent of exercising parental custody and assign it exclusively to the other parent, or, if the conditions of the previous paragraph are met, assign the actual care of the child or even the total or partial guardianship to a third party, and may also appoint a trustee.
3. In extremely urgent cases, provided that the conditions of the first subparagraph are met and there is an immediate risk to the physical or mental health of the child, the prosecutor may order any appropriate measure for their protection until the court's decision is issued, to which they must apply within thirty days.

When are children removed?

Convention on the Rights of the Child

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities, subject to judicial review and in accordance with applicable laws and procedures, determine that such separation is necessary for the best interests of the child. Such a decision may be necessary in particular circumstances, such as cases where the parents are mistreating or neglecting the child.
2. In all cases where the provisions of paragraph 1 of this article are applied, all interested parties shall be given the opportunity to participate in the proceedings and express their views.

When are children removed?

3. States Parties respect the right of the child who is separated from one or both parents to maintain regular personal relationships and direct contact with both parents, unless it is contrary to the best interests of the child.

When are children removed?

Convention on the Rights of the Child

Article 12

- ❖ States Parties guarantee the right of the child who is capable of forming his or her own views to express those views freely in all matters affecting the child, taking into account the child's opinions, according to the child's age and maturity.

When are children removed?

Convention on the Rights of the Child

Article 20

- ❖ Every child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State. States Parties shall provide alternative care for such a child in accordance with their national legislation.

Decision-making in the Best Interest of the Child

Child Best Interest

- ❖ The opinion, viewpoint of the child
- ❖ The identity of the child
- ❖ Preservation of the family environment and maintenance of relationships
- ❖ Care, protection, and safety of the child
- ❖ Potential situation of vulnerability, incapacity, or disability of the child
- ❖ The right of the child to health
- ❖ The right of the child to education

General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)

Decision of Removal

- ❖ At the international level, scientific research shows that the assessment and, consequently, the decision of removal are made both within an urgent context and with limited information (Pickett & Maton, 1997).
- ❖ The concept of urgency is also related to the pressure faced by professionals in the field of child protection, where they are often required to make decisions quickly based on information obtained from different sources, which may be either questionable or insufficient (Spratt, Devaney, & Hayes, 2015).

Decision of Removal

- ❖ The concept of bias or prejudice among professionals, also known as confirmation bias or confirmation of prejudice (Munro, 2020), is also referred to as "verification" (Holland, 2011), "fixed thinking" (Brandon, et al., 2009), or "adaptation-driven bias" (Taylor, 2010).
- ❖ Munro (2020) describes a series of techniques used by professionals in the field of child protection that lead them to confirmation bias.
 - ❖ First, there is "avoidance."
 - ❖ Second, they "forget" elements or events that contradict their initial assessment.
 - ❖ Third, they underestimate the source of information.

Childhood Traumatic Stress and Common Reactions to Traumatic Events

- ❖ When children face a traumatic experience, they do not always exhibit traumatic stress. Many factors can influence the consequences, and these factors can be recognized as both protective and risk factors.

Removal Toxic Stress The Trauma of Removal

Complex Trauma

- ❖ Fear of Transition. It affects their understanding of themselves, their interpersonal relationships, and their sense of safety and stability in the world they live in. Children report experiences of uncertainty and doubt, feelings of loss and trauma, often equating their removal with abduction.
- ❖ Doubt in Relationships. Apart from the loss of their family environment, they are required to relate to new individuals.
- ❖ Uncertainty in Their Role. They struggle to make sense of where they are and why.
- ❖ Ambiguous Grief. They grieve for their family members who have not passed away but are somewhere "out there." Ambiguous grief, loss without death, can cause anxiety, confusion, despair, and other negative consequences for the child's mental well-being

Complex Trauma

Complex Trauma is caused by exposure to multiple unresolved traumatic events that jeopardize the child's personal safety and well-being.

- ❖ Physical Dysfunctions
- ❖ Difficulties in Emotion Regulation
- ❖ Impaired Self-Regulation
- ❖ Cognitive Function Impairment
- ❖ Increased Cortisol Hormone and Brain Cell Damage
- ❖ Multiple Health Consequences

Complex Trauma

Grief, Sorrow, Loss

Guilt, Post-Traumatic Stress Disorder (PTSD), Isolation, Substance Use, Anxiety, Low Self-esteem

Children who are removed may grieve the loss of their parents as if they had died.

The Harm of Removal

- ❖ "The Harm of Removal" is a general term used internationally in the child protection system, referring to the various ways in which a child can be negatively affected by separation from their family and placement in foster care or a hosting environment.

Attachment Theory

The theory of attachment refers to the emotional distress experienced by children due to separation from their primary caregiver and highlights the subsequent problems that separation can cause, such as aggression and depression.

Children in foster care or residential settings may exhibit the following behaviors:

- ❖ High levels of aggression
- ❖ Anger issues
- ❖ Bedwetting
- ❖ Speech disorders
- ❖ Attention-seeking behavior
- ❖ Feelings of shame
- ❖ Eating disorders
- ❖ Defiance and refusal to comply
- ❖ Self-centeredness
- ❖ Thumb sucking or finger sucking
- ❖ Excessive crying

Consequences

- ❖ Nightmares or sleep disturbances
- ❖ Intrusive thoughts (repetitive, unwanted, and often distressing thoughts or images causing anxiety)
- ❖ Traumatic images of separation that are expressed through play or artwork
- ❖ Negative beliefs about others, themselves, or the events they have experienced
- ❖ Negative changes in behavior, such as aggression or excessive anger
- ❖ Negative mood, such as sadness, anger, resentment, guilt, etc.
- ❖ Suicidal thoughts or self-destructive behaviors
- ❖ Negative physical symptoms, such as headaches, stomachaches, etc. (Pfeiffer, Sachser, Rohlmann, Goldbeck, 2018).

Removal

Researchers studying crises and traumatic events have identified three critical protective factors that can help children cope with crisis and trauma situations:

- ❖ sufficient information about what is happening to them,
- ❖ an appropriate support system,
- ❖ effective mechanisms for coping with the fear and anxiety caused by the crisis (Aguilera & Janice, 1974).

Among younger children, there is often a need to adopt crisis coping strategies from an adult (e.g., seeking information) and rely on an adult to help them organize and adapt to their experiences (Sutherland-Fox, 1985).

Removal

Henry and Richardson (2013) presented a standardized process of child removal with a trauma focus (Trauma-informed Removal) to professionals in the state's child welfare system in Southwest Michigan, USA, through the Southwest Michigan Children's Trauma Assessment Center. The Trauma-informed Removal guide emphasizes the need to develop a plan to minimize trauma to the child during the removal process. The plan includes:

- ❖ Creating a sense of safety for the child
- ❖ Psychoeducation of the child to accept the situation
- ❖ Empowering the child through the presentation of the process
- ❖ Maintaining ongoing relationships between the child and professionals after the removal
- ❖ Facilitating the expression of emotions and acceptance of them.

Removal

Another model of child removal, aiming to minimize harm as much as possible, proposed by Folman's research, highlights three steps.

- ❖ First, children should be informed before the removal that they will be temporarily leaving their parents to live in an alternative care setting.
- ❖ Second, children should be given the opportunity to communicate with their families as soon as possible after the removal.
- ❖ Third, children should be familiarized with their foster or adoptive parents in advance or shown the environment they will be moving to. (Folman, 1998).

Removal

Additionally, in the same model proposed by Folman, it is suggested that

- ❖ child removal should be done by a professional known to the children.
- ❖ When possible, it is also beneficial for the parent to accompany the child during this transition.
- ❖ If the children are unable to meet the alternative care setting before the removal, they should be provided with specific information about it, such as watching a video of the foster family members talking about themselves, their interests, and the activities they enjoy doing with children, or at least being presented with photographs of the foster family members along with a narrative about the family (Folman, 1998).

Removal

- ❖ Regarding the risk of parents fleeing with their children if they are informed in advance about the removal, procedures tailored to this condition can be implemented.
- ❖ For example, professionals can arrive in the morning, explain to the parents and children what is going to happen. The children can gather their belongings, and when possible, the parents can accompany the children to the police station or the social service office. At the police station or social service office, farewells can take place, and plans can be made for the next contact (Folman, 1998).

Removal

- ❖ In all cases, research shows that children who process the trauma of removal with greater speed and success are those who are able to make sense of their experience (Herman, 1992).

How do we explain removal to children based on trauma-informed care?

- ❖ Avoid getting caught up in how the child presents it.
- ❖ Before asking the child:
- ❖ Recognize the difference between pain and trauma.
- ❖ Be willing to acknowledge your own difficulty in relieving pain but your ability to minimize trauma.
- ❖ Be willing to empathize with the child's pain.
- ❖ Recognize and take responsibility for the decision that caused the child's pain and trauma.

How do we explain removal to children based on trauma-informed care?

- ❖ Specify what is happening and what will happen to the child.
- ❖ Identify common emotions that children usually have.
- ❖ Identify common thoughts that children usually have.
- ❖ Explain your role in providing what you believe needs to be done to keep the child safe.
 - ❖ Prompt questions to the child. Ask what the child needs from their home that provides comfort.
 - ❖ Ask the child what they need to feel secure.

Prepare for questions - answers - thoughts

- ❖ Why can't I stay with my parents?
- ❖ You can't do this to me. I love my parents.
- ❖ How can you want to hurt me?
- ❖ What will happen if I don't come with you?
- ❖ How long will I be in foster care?
- ❖ When can I see my parents again?
- ❖ How can you separate me from my siblings?

Challenges of Professionals during Removal

Why am I not communicating?

- ❖ Too busy.
- ❖ The faster I finish the case, the sooner I can move on to other things.
- ❖ You don't want to disrupt the child's transition by making things worse with my presence.

IN REALITY: ISN'T IT JUST TOO PAINFUL?

Challenges of Professionals during Removal

Reasons to involve professionals in the child's experience:

- ❖ Your presence provides an opportunity for the child to process what has happened.
- ❖ Your presence offers the child an opportunity to gain information and ask questions.
- ❖ During the crisis of separation, you provided security and support that created an increased sense of safety.
- ❖ You are not abandoning the child like others may have in the past - trust in professionals within the system is built through continued contact.

YOU ARE THE CONNECTION TO THEIR PARENTS!!!!!!!!!!

THANK YOU!



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