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Family reunification is the right of every child: Time for a structured approach!



UNIVERSITY OF BERGEN

▶ ▶ ▶ Norway has implemented a new child law which strengthens the goal of reunification in foster care. This policy brief outlines recommendations for SOS Child Villages to support the implementation of the law with the child's best interest in mind.

3 key points

- The European Court of Human Rights has determined that Norway has not made satisfactory plans for family reunification in foster care situations
- A new law in Norway has been enacted, wherein tribunal and court decisions on a care order must determine an assumed duration of time with a placement
- Regular and personalized professional support that supplements the court decision can aid in a smooth process of reunification and re-establishing family dynamics

Introduction

The Norwegian Child Protective Services aim to provide protection for children who are at risk of, or are experiencing neglect, physical, sexual, or emotional abuse. In 2020, the European Court of Human Rights delivered a ruling faulting the Norwegian child protection system. They concluded that Norway violated the right to respect for family life (Article 8) when implementing child protection measures. The right to family life refers to right to enjoy family relationships without interference from government. This includes the right to live with your family and, where this is not possible, the right to regular contact. A child may be temporarily placed in foster care while the parents work to improve their personal and home wellbeing; after that, the family must be reunited. However, an analysis of the judgement shows that the Norwegian child system failed to take proactive measures to reunite the family and to establish an atmosphere that enables the child and his biological parents to develop a meaningful relationship, according to a study of the verdict against the foreign child protection system. Moreover, in line with the non-discrimination principle of the Convention on the Rights of the Child, refugee families do not lack the right to family reunification, despite the 1951 Refugee Convention's silence on the subject (Rohan, 2014).

Benefits and Weaknesses

For children in foster care, reunification with their families of origin is the most common goal and outcome. Scholarly articles, civil society organizations, and advocacy groups have spoken out about the benefits of family reunification from various perspectives. They all often highlight the positive effects on the mental health and well-being of children and their families. Regarding the importance of family reunification and the continuation of contact between parent and child, literature shows how the maintenance of relationships between parent and child makes reunification at the end of foster care placement more likely (Corradini, 2018). Reunification means parents have had the opportunity to get the help they need to care for their children. Children who return to their permanent and stable routines are more likely to succeed in school and develop social skills.

Maintaining bonds between children and their birth family, or re-building them if necessary, has a positive impact on the progress of a foster care experience (Moyers & Farmer & Lipscombe, 2006). Reunification promotes better mental health, reduces anxiety, and brings happiness to children. Also, through reunification, children maintain their connections with extended family, traditions, and cultural identities.

Child development research underlines that children need consistency, predictability, and attachment to a caring adult to thrive. Children who have experienced trauma including removal from their home, as well as the trauma of ongoing separation from family need it more. On the other hand, family reunification may not be easy for foster parents. Therefore, the assumed duration of placement will protect the foster family from being affected psychologically and emotionally.

There are weaknesses in all plans of management and the same holds true for Norway's new law. The heavy load of caseworkers may pose a challenge in ensuring that the law will be implemented as it was intended. Even though assessment is addressed, and the need for documentation, it is also a weakness that the law does not outline more standardized measures for good enough parenting, cause this makes it difficult to measure improvement when reunification is the aim. This can make it difficult for child-care-workers and for parents, according to program for improvement.

The situation within the parent-home may change after placement—divorce, new partners, untreated addiction or mental health. This must be taken into consideration regarding visitations and when duration for reunification is decided. Also the focus on visitations and reunification, could overrule the Child's own perspective and view. Finally, Also that the child may have adapted to the circumstances in the child welfare or may have found loving foster parents, and the goal of reunification without the proper support may overrule the child's voice and expose them to further trauma (Chen et al., 2017).

Plan of Action

Providing a support plan with the assumed duration of time can aid in a smooth process of reunification and re-establishing family dynamics. Professional training that promotes positive parenting and encouraged the active participation of children are essential to facilitating the re-establishment of family dynamics in the process of reunification (Inchaurrondo et al., 2018). It is necessary to support families in adapting to changing norms, routines, and roles, especially if the determined placement duration spans a prolonged period. It is also vital to take the child into consideration, in ensuring that they are informed of the processes involved that have a major impact in their life and that they are given the opportunity to express their thoughts and feelings. Appropriate assistance should also be ensured in case of asylum-seeking children, such as language support.

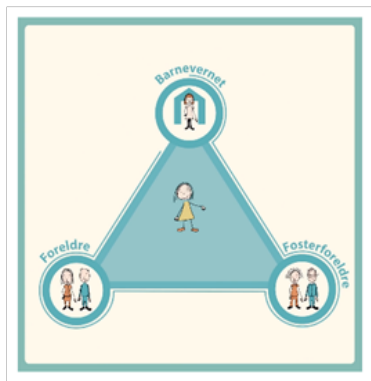


Figure 1. Bridging program diagram
(Source: Brobyggerprogrammet)

“Bridging the Gap”: A Blueprint

The program – “Bridging the Gap” is a program developed by the Association for Foster Parents and the Association for Parents within Child Welfare. The aim of the program is to help Child Welfare, foster parents and biological parents to work together for the best interest of the child. The program supports the child in telling their story, and in that way supports the child in developing their identity and connect the past and the now together, in order to develop a new future. This is the responsibility of both parents, foster parents and Child Welfare.

These are important values for having good communication and cooperation. Generosity means acknowledging and accepting our differences and to stretch out a hand. Allowing the child to attach to both parents and foster parents, by building a strong communicative relationship.

Conclusion

Reunification promotes better mental health, reduces anxiety and brings happiness to children and parents. However, even though the new law has adopted the need to determine an assumed duration of time with a placement, it does not give emphasis for structured assessment, parental and child support, and training for responsive caregiving. Strengthening of the implementation of the areas mentioned above may allow for successful and timely reunification of families. The “Bridging the Gap” program may provide a model for strengthening the implementation of the law for the best interest of the child.

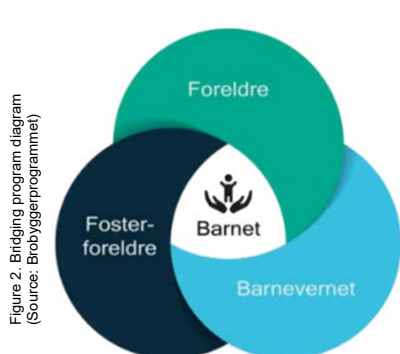


Figure 2. Bridging program diagram
(Source: Brobyggerprogrammet)

There are, in every case, three main cooperating parts; Child Welfare, parents and foster parents. In the middle, and in the center for the cooperation is the child, whose needs should be the main priority. A safe space for the child to express their emotions and feelings can be developed by creating a good cooperation between foster parents, parents and the primary person in Child Welfare. As the name of the program outlines, to build a bridge between parents and foster parents.

To make this happen, the program emphasize some core values; RAUSHET (GENEROSITY):

- R** – Respekt (respect)
- A** – Anerkjennesle (Acknowledgement)
- U** – Undring (curiosity and no preassumption)
- S** – Språkbevissthet (language-awareness)
- H** – Helhet (Holistic thinking)
- E** – Empati (Empathy)
- T** – Tillit (Trust)

Recommendations

Introduce structured assessment by an appropriate professional team followed by monitored visitations

Promote training of positive parenting to support the process of reunification and re-establishing of family dynamics

Consider implementing “Bridging the Gap” program as a blueprint for building strong communicative relationships

MORE ABOUT THE BRIDGING PROGRAM

The program consists of lectures, courses and digital resources and is available at [Brobyggetprogrammet - Norsk Fosterhemsforening](#). They have also developed a guide for positive visitations, that can be downloaded at [Samværsquiden.pdf \(fosterhemsforening.no\)](#).

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Partners

