

# Child protection is not a luxury!

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## Statement of Principles for Child Protection<sup>1</sup> in Greece

The following representatives of public and non-governmental child protection agencies, professionals and experts who work for the protection of minors and their rights, join forces to endorse this statement and call upon the competent authorities of the Greek State (Parliament and ministries) to take all necessary legislative and administrative measurements to ensure that the following basic principles of child protection are translated into concrete measures with objectives, time plan, responsibilities and mechanisms of surveillance, to be included in the National Action Plan for Children's Rights. The implementation of this Plan can be achieved through the utilization of national and European resources while also requiring elaboration, public dialogue, and continuous monitoring and evaluation at national and at regional level with the support and the alliance of all those people involved in child protection and benefit from its services, with the aim of protecting the rights of all children, and particularly the ones with disabilities.

### 1. Support and Help for All Children

All children, without any exception, namely all persons 0-18 years old living in the country, need to receive continued support and assistance in order to grow up and to enjoy their rights without any barriers, as guaranteed by the International Convention on Children's Rights (Law 2101/92) and other national legislation. The child's right to grow up in his/her family remains primary and all efforts should be mainly focused on supporting and strengthening the family to adequately take care for the child. The operation of adequate mental health and social welfare community services across the country is required for the development of an effective child protection system. These services should liaise with schools, kindergartens, hospitality care units for children with or without disabilities, primary health care stations. Moreover, they should be accessible in any aspect and be able to support families at their living places and particularly those who live in difficult conditions (of extreme poverty and indigence, poor housing or homeless, etc.), including these families with children who drop out of school or attend poorly and others whose members face particular difficulties such as long-term unemployment, conflicts, domestic violence, health

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1 As child protection means the protection of a child from violence, abuse, neglect, abandonment and exploitation in any field of life (inside and outside the family) through a national system, with emphasis on prevention, support and rehabilitation, which should operate on the basis of legislation, policies, procedures, services and practices within the perspective of the Children's Rights as these enshrined in the International Convention on the Children's Rights (Law 2101/92) and other relevant international human rights documents that are ratified by Greece.

and mental health problems, alcoholism, drug addiction, etc. All families and particularly the above mentioned should receive continuous and systematic support, within the framework of preventive policy that safeguards children's protection and prevents their removal from them.

## **2. Information for Children and for Parents**

At all settings and all levels of education, children should be informed regarding their rights, any available services and methods of protection from all types of violence, abuse or exploitation. The relevant information should be provided via methods, programs and materials which correspond to their age, developmental and educational needs. In parallel, relevant information and training needs to be provided to parents/guardians, with emphasis on positive parenting and available community services, which they can address for counseling and support for crisis or problems management.

## **3. Systematic Cooperation, Action Protocols, National Reporting Systems, Training**

Services and agencies that are involved with children need to be liaised and cooperate with each other on a regular basis at both regional and local level. All professionals who work with children should receive continuous training regarding modern methodologies and tools which enhance the efficiency of their work, also regarding law provisions and ethics concerning the work with children, with the aim to improve their skills and to respond to the (typical or special) needs of children in an updated manner and with respect to their rights. Inter-sectoral and interdisciplinary cooperation needs to be established and supported by action and procedure protocols, appropriate scientific tools and reporting systems at national level, as well as by proper supervision and support to professionals who provide services to children. In parallel with professionals, volunteers who provide services to children should receive organized and systematic training and supervision regarding child's rights, their role and relationship with professionals, as well as any possible special characteristics of children, such as disabilities, linguistic, cultural, ethnic or religious particularities and so on.

## **4. Fast Activation and Professionals' Collaboration**

When professionals who are working with children-in any setting- suspect or diagnose that a child's problem or symptom may be an indication/sign or a result of family dysfunction, neglect or abuse, they should act quickly and cooperate with the pertinent child protection agencies following standardized special protocols for the proper assessment and treatment of the problem in collaboration with the family, whenever feasible, and in the child's best interest. Local education, social welfare, health and mental health services should cooperate with each other, develop and follow-up individualized action plans for every child in need

and especially for every family in crisis, particularly taking into consideration any possible vulnerability factors related to children. Particular care should be taken for the provision of services in islands and remote areas. For the actions of professionals to protect children from any form of abuse or neglect, according to the law, there should be provisions for safeguarding and legal protection.

## **5. Police, Prosecutor's Offices, Courts and Juvenile Probation Services**

Every child who needs to face law enforcement or prosecutorial or judicial authorities, as victim, perpetrator, or witness should be treated with respect to his/her personality and his/her dignity, taking into consideration his/her age, his/her maturity level and any other possible special characteristics. Juvenile prosecutor's offices and family courts should be established in all prefectures of the country, framed with sufficient psycho-social services and accessible juvenile probation services. The personnel of law enforcement, prosecutorial, judicial authorities or other pertinent services who manage issues of child protection or delinquency should obtain special knowledge and receive systematic training regarding children and their rights, but also in regards to any special case, such as children with disabilities, with linguistic, cultural, ethnic or religious particularities, including every other type of diversities, such as sexual orientation and gender identity, in order to recognize and respect children's rights in all procedures. Special care should be taken in cases of discordance between parents in order to prevent traumatization to children and to defend their right to be raised by both parents, taking into account the child's best interest.

## **6. Child-friendly Justice**

Children's examination within the criminal justice system should always be performed by qualified and appropriately trained staff, with perspective of the child's age, and developmental needs as well as of his/her special individual characteristics, within the framework of the principles of child-friendly justice; this requires informing the child about the procedure, conducting an interview with the child in a friendly and appropriately designed space, using appropriate and evidence-based methods and techniques, providing interpretation to children who do not speak the Greek language and to deaf children (the same applies for their parents/guardians, if they face communication problems), providing legal support, ensuring confidentiality and respect of the child's private life, and preventing repetition of interviews or other procedures that undermines the credibility of the child's testimony or causes additional difficulties to the child. Particularly in cases of children who are victims of domestic violence and/or crimes against sexual freedom, special attention should be given to the observance of ethics with the aim of protecting children from re-victimization and secondary victimization during the investigation of complaints and the judicial process, and to the utilization of law proviso, methods and procedures. Deprivation of a child's liberty, including his/her removal from family, should be taken as the ultimate

measure only if it is judged that this is absolutely necessary and any other alternative options have been eliminated. The primary concern for minors deprived of liberty should be education and preparation for reintegration. Special care must be taken to put an end to the detention of children with disabilities; also, the detention of mothers with very young children should be prevented with the provision of alternative forms of detention, whereas in cases when the deprivation of liberty is necessary sufficient childcare should be ensured, as well as support of the child's relationship with the parent who is not serving a sentence. In any case of parent's detention, the maintenance of parental relationship and the regular contact with the child should be supported, if it is not contrary to the child's interest.

### **7. Abandonment and Temporary Removal of the Child from his/her Family**

In cases when a child is abandoned or when it is decided that the child should be temporarily removed from his/her family, there should exist a temporary regulation of his/her custody and the child's placement at a foster family or at a special emergency hospitality care unit during the state and needs assessment of the child until a final decision is taken about his/her custody and care. If it is necessary for the child to be removed from his/her family, the child should be informed and prepared appropriately, depending on his/her age and maturity. The process of assessment should be accomplished quickly and should result in an "individualized" long term plan for the child's placement in a foster or adoptive family or in small group units (homes) that resemble family life, or for the child's return to his/her family, where this is feasible and in the child's best interest. Admission of children, and especially infants with no health problems to pediatric and child psychiatry hospital clinics, following prosecutor's orders for social reasons or abandonment, which occurs due to the absence of emergency hospitality facilities, should end immediately. Similarly, the lifelong admission of children with disabilities to institutions-asylums, as well as the institutionalized care for infants and toddlers, must end immediately, in alignment with the relevant global UN directive.

### **8. Unaccompanied Children**

When a child is identified by the authorities either at the country's ports of entry or elsewhere and declares that s/he is not accompanied by any family member who holds his/her legal guardianship (responsible for the child by law) or that s/he has been separated from them, it is necessary, according to law and with the assistance of an interpreter, to proceed with the registry and the investigation of his/her personal history rapidly as well as informing and facilitating the child on the exercise of his/her rights. Then, s/he should be referred as soon as possible for age-appropriate hospitality and not in any case in conditions of detention, with the aim of uniting with family members as soon as possible if this is feasible and in child's best interest. Children should not be deprived of their liberty merely due to their legal status. The state must take care of the appointment of guardian for every

unaccompanied minor, his/her protection from any form of violence or exploitation, his/her access to education, health services and social life, and must take under consideration the alternative of the child's placement in an appropriate foster family. Minor migrants, who are either unaccompanied or stay with their families, should enjoy the same rights as all other children living in the country, in accordance with the International Convention on Children's Rights.

### **9. Long-term Child's Removal from his/her Family**

In cases when a child needs to be removed from his/her family for a long time, either due to abuse or due to the family's inadequacy to take care of him/her appropriately, the first option that should be assessed is the placement in a foster family especially for toddlers. The prerequisite for such a measure is to extend the implementation of foster care as a whole. It should be ensured that foster parents are adequately assessed, certified, registered on databases, and receive appropriate training, supervision and support from the competent community social services. In case of foster care of a child with disabilities or any other special characteristics, the appropriateness of foster parents should be evaluated on the basis of the particular special needs of the child. Any hospitality unit for children should be small, for a few residents, to be located preferably in residential areas and resemble a family (small group homes), preventing the institutional model. Minimum national standards should be established for the staff and the operation of all such small units, including a Code of Ethics, which safeguard the rights of the children who live either at these homes or at foster care, including also provisions for the children's participation in decision-making. The placement of each child at small homes or at a foster family must be reevaluated at several times and the contact with his/her natural family should be maintained, if it is feasible and in the child's best interest. During the child's stay outside his/her natural family, the child should receive constant support by qualified professionals and the opportunity to express any complaints and requests s/he might have, including any special needs of the child. All child protection services should be continuously monitored and supervised by the pertinent public services and by independent bodies, in regards to the quality of their operation and the safeguarding of the children's rights. In case of transition of children with or without disabilities from a residential care unit to a community-based care unit, the care of the child must be provided at the same place wherein his/her natural parents live including the maintenance of contact with the child's family if this is in the child's best interest. As an ultimate measure and when the reunification with the child's biological family has been decided as inappropriate or impossible, then, the possibility of placing the child at a foster family should be evaluated, through assessment procedures of the individual needs of each child, while recruitment, assessment, training, support and supervision of foster parents should be undertaken systematically by public services.

## **10. Children with Communication Problems**

Children with disabilities, chronic diseases or mental disorders, who have poor or total deprivation of verbal communication, as well as child refugees, children belonging to vulnerable social groups or religious minorities, or any other children who do not speak Greek or obtain the sign language, including those children with poor or no verbal communication who need high-quality support should be treated by specially trained professionals who have specialized knowledge and training for such cases and their needs, and should have available interpreters, cultural facilitators or any other communication devices, when necessary, and avoid any type of discrimination and social exclusion in order to safeguard children's equal enjoyment of their rights.

## **11. Children with Severe Disabilities, Chronic Diseases and Mental Disorders**

The operation of daycare centers with appropriate programs and activities is deemed necessary, and also the operation of small hospitality units in communities, with specialized staff and therapeutic orientation for children and adolescents with severe disabilities or chronic diseases, mental disorders or severe psychosocial problems, who need specialized treatment and intensive support, with parallel family counseling in order to prevent any possible neglect, abuse or any other violation of the children's rights. Especially for children with chronic, developmental or incurable and fatal diseases, community-based palliative/hospice care services, accessible, appropriate and available at home with the aim of addressing their needs and supporting family members should be provided.

## **12. Mass Media**

It is necessary to abide by and monitor the compliance with the code of ethics by mass media on the basis of the provisions of International Conventions and other relevant national legislation, paying particular attention to the respect of privacy and personal data of children perpetrators or victims or witnesses of acts or situations of abuse and neglect, including those children who are involved in judicial procedures or in the child protection system.