



Perspective of implementation of the rights of a child whose parents have a mental illness

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Preamble of the UN Convention on the Rights of a Child

- The child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection;
 - The family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.
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□ Perspectives of implementation of the rights of a child will be exhibited using experience of the implemented project

- During the implementation of the project the main attention was paid to situations that occur in the families where parents are placed into psycho-neurological residential care homes due to mental illness

□ Perspectives of implementation of the rights of a child are discussed in cases when parents are in institutions

- Situations when parents get into institutions
 - Security and care of the rights of parents and children
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Main principles of care of children rights that ensure wellbeing of a child

- ❑ Right not to suffer discrimination
 - ❑ Best interests of the child
 - ❑ Right to life: appropriate health care, access to health care, treatment
 - ❑ Right to development: appropriate care, education, leisure time, cultural activities
 - ❑ The right to participate in decision making, access to information etc.
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The child's right to preserve identity

- preservation of family relations - the child's identity element**
- to implement the child's right to preserve family relation is not enough to establish the fact that the child knows who one's parents are**
- Below listed conditions are being considered as important to a child:**
 - The right to be raised in a family
 - The right to communicate with parents (or one of parents) who live separately

Except the cases when it is incompatible with the interests of a child

Separation of children from parents as legal category

- ❑ **Separation of a child from parents as one of the forms of termination of parental authority is applicable:**
 - ❑ after the decisions made by competent court
 - ❑ in cases when parents (father or mother) do not live together with a child due to objective reasons including illness
 - ❑ the decision should be made regarding the place of living of a child

 - ❑ **Consequences of the separation:**
 - ❑ child keeps all personal and property rights and obligations based on kinship
 - ❑ the child has all the rights and duties under law
 - ❑ in such cases, parents lose their right to live with the child and to claim reimbursement from any other person
 - ❑ other rights of parents can be used as far as possible, not residing with the child
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Children's rights to participate in decision-making

- ❑ **Difficult to ensure for a wide range of subjective and objective circumstances:**
 - ❑ Due to children age and stage of development
 - ❑ Various content of provided information
 - ❑ Limited information about the disease and an institution in which mother or father live or will be placed
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Child custody and care alternatives

- opportunity to grow with the other parent not residing in fixed social care institutions
 - to be fostered in the family, household or care institution
 - Child's choices are limited, because they are dependent on family, community and state - they make that choice for them, using any social, health and other systems which have been developed
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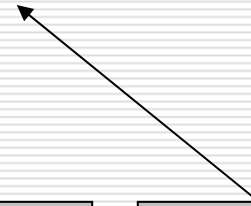
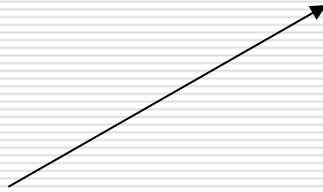
Child's and parents' right to maintain the contact

Wish of a child to communicate

Knowledge of
parental illness

Knowledge of
the institution

Influence of
the third parties



Who should play
a key role as
litmus paper?



Knowledge and self-determination

Influence of the persons who foster a child

- Is it possible to keep the family relation if child do not no about their parents or know untruth about them

Negative attitude of the society

- “discomfort” feeling
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Possibility to keep the relations

Theory

Legal obligation of one of the parents, guardians is to ensure the child's ability to communicate and be seen with his father or his mother, who lives separately, if it does not affect the child's interests

Practice

Various factors have influence on communication between children and parents

- ❑ Age of a child
 - ❑ Relationship of the family before the crisis
 - ❑ Complication of fathers' (mothers') illness
 - ❑ Motivation of father (mother), will to communicate
 - ❑ Distance between care institution and child's living place
 - ❑ Attitude of parents, guardians towards people who suffer from mental health disorders
 - ❑ Goodwill of the administration of institution and other circumstances
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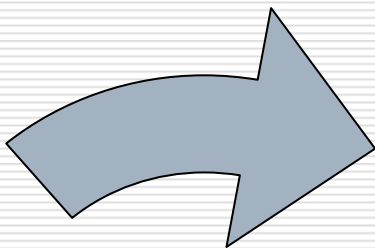
Communication perspectives (1)

- Depends on perspectives of child care, custody, i.e. with whom the child is left to live:**
 - With one of the parents
 - In foster family
 - In care institution

 - Depends on attitude of people who take care of a child towards keeping the relationship**
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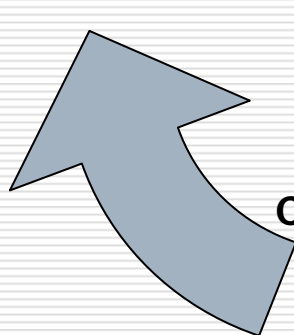
Communication perspectives (2)

- Child's living with the other parent, communication is dependent on the father's or the mother's subjective approach to it, the relationship usually occurs through the active prohibition or active support of the relationship
 - The relationship is better when care of a child is provided to a close relative
 - When a child is in a care institution, communication and relationship with a family has some specific aspects as well. A great role is given to human factors, i.e. initiative of the child's or parents' institution administration.
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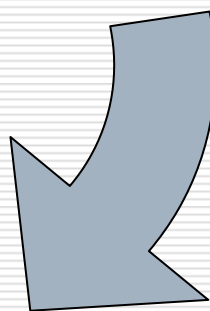


Tolerant society

Help for a family



**Child wellbeing
is an
opportunity
to grow
in parents family**





Thank You for the attention!

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