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*Opinions of separated youngsters on the quality of their lives in the Netherlands and how to assess which type of shelter protects the child's life and development best*

## **Introduction**

In 2009 the European Union for Fundamental Rights Agency (FRA) in cooperation with the European Migration Network, started a study about the life circumstances of Separated Asylum Seeking Children in 12 different European Countries. In all the participating countries, 30 children and 25 professionals were interviewed about their opinions on the quality of the lives and living circumstances of the Separated Asylum Seeking children in the specific countries and the children's views on various topics related to their experiences and senses of wellbeing.

Nidos as partner in this study, conducted the Dutch part of the study. Nidos asked the university Groningen to cooperate in the FRA study. The FRA study resulted in two reports which contain advises on how to improve the policy on Separated Asylum Seeking children in Europe in accordance with children's rights.

Since this first study in 2009, in the Netherlands, every year between 19 and 32 separated Asylum Seeking children who are under guardianship of Nidos were interviewed about their experiences with Nidos, their wellbeing and the quality of their lives in the Netherlands.

Nidos uses the results of this so called monitor to improve her policy. The University of Groningen has developed a database of the data collected in the past years. There have been over 130 interviews with children who are under protection of Nidos, living in different types of shelter in the Netherlands.

In this workshop I will compare the situation of the youngsters interviewed, living in different types of shelters and show that there are differences in how they experience their stay in the Netherlands. I will also present the results of our study on *the quality of child rearing* in relation to the *wellbeing* of the youngsters.

Since this meeting today is a so called workshop, I will introduce to you two questionnaires which can be used in a best interest of the child assessment on the question where the youngster should be sheltered to protect his or her development and prospects best. We will practice together with these questionnaires in a case so you can experience if the method might contribute to the process of making choices about where the youngster should be sheltered to protect his or her development best.

## **Part one**

### **The 'separated asylum seeking children-monitor'.**

In 2014, due to the civil wars in countries like Syria, Eritrea, Iraq, Afghanistan and in other countries, there was an increase of the numbers of unaccompanied minors coming to the Netherlands. Instead of a few hundred in the previous years, in the first half of 2014, every month more than 300 minors arrived. At this moment there are four types of shelters where unaccompanied minors in the Netherlands can be placed during their migration procedure.

Families, children residential groups, small living units and asylum seeking centers.

unaccompanied minors in the Netherlands are placed under guardianship of Nidos. Nidos

policy is to place unaccompanied children preferably with *families from their own cultures*, the rest of the children and youngsters live in *children's residential groups*, *small residential units* or in *an asylum center* (Nidos, 2013). In 2012, hundred and thirty five unaccompanied children were living in asylum centers in the Netherlands. These centers are to be closed in 2016.

The central questions in the study presented are:

1. What do unaccompanied minors, living in different types of shelter, think about the quality of their lives and their wellbeing?
2. What do professionals think about the quality of the child rearing in the different types of shelter in relation to the wellbeing of the unaccompanied minors?

## **Method**

In the period 2010 till 2014 each year in-depth-interviews were held with around 30 unaccompanied minors. Most of them are boys because they flee most often. The minors are between 12 and 18 years old. They live in different types of shelter. They have a different cultural background and different countries of origin. Most of them are from Afghanistan. The interviews lasted between 45 minutes and two hours depending on the minors wishes to talk and open up. In the first two years of our study, the interviews were conducted by guardians of Nidos. In the last two years, master students from the university Groningen, held the interviews with the minors. Over the years, 132 minors were interviewed about various aspects of their lives in relation to their wellbeing.

### *Topics in the interviews*

Various different aspects of their lives were subject during the interviews like living circumstances, care and daily routines, food, quality of guardianship, contact with authorities, detention, health care, education, work, social support, relationships, family tracing, best practices, future plans and a question about if you were king or queen.

### *Questionnaires used in this study*

Next to the in-depth-interviews different questionnaires were completed to learn more about the social and emotional state of mind of the youngsters in relation to the quality of care and child rearing. In 2010 and 2011, the YSR was used in the study, but because the YSR is only available in a few languages, the SDQ was used in 2012, 2013 and 2014 which is available in far more languages than the YSR. Based on the information collected, in all cases one of the researchers of the team completed the BIC-Q to get an impression of the quality of the child rearing in the current situation in the Netherlands. The BIC-Q is based on the BIC-(Best interest of the child)-model. To experience a good childhood and to develop in a positive way to become an adult and a good citizen, the child needs a social context which provides opportunities to do so. The BIC model was developed in a joint study by Kalverboer and Zijlstra. The BIC model consists of 14 rearing conditions in a child's life which must be of sufficiently high quality to enable the child to experience a good childhood and to safeguard his or her development. Together they represent the quality of the child rearing environment. If these conditions are of a sufficiently high standard during an extended period – both in the current situation and in the past and future – it can be said that there is *continuity* and *stability* in the child's upbringing and circumstances. This is in the best interests of the child. The child

can develop and lives in a qualitatively good social environment. If these conditions are of an insufficiently high quality over an extended period, this may harm the child's development and his or her experience of the childhood. This applies particularly to vulnerable children. The child rearing environment of vulnerable children should meet extra high criteria. A professional can use the questionnaire to assess the quality of the child's *current* rearing environment and to compare it with the situation which can *be expected to arise* if a specific decision is made.

#### *Data analyzes*

All the interviews were analyzed. For every topic of the interview was decided if the youngster was positive or negative about the quality of the aspects, concerning the topic and why. This resulted in an overview of the youngster's opinion on his or her life and wellbeing. The results of these yearly studies are compared with each other to find out if a trend could be determined.

In the analyses we dichotomized the BIC-scores. If all the conditions of the BIC-model are of sufficient or good quality the score is 14. If all the conditions are of insufficient or moderate quality the score is 0. In this presentation I concentrate on the 91 cases in which we both have the scores on the social and emotional state of mind of the minor measured with the SDQ or YSR and the scores on the quality of care measured with the BIC-Q.

The outcomes of the BIC-Q and YSR or SDQ were analyzed to find out if there is a correlation between the quality of the child rearing and the child's wellbeing.

#### **Results and conclusions**

In the interviews we see that minors living in foster care are most positive about their lives in the Netherlands. Minors living in an asylum center or children's group are most negative about their lives. Much more often than in other types of shelter they complain about the live circumstances and talk of anxiety, depressions and loneliness. They worry most about their future perspectives. Many of them tell about drug abuse *of other minors* living in the centers and about truancy from school. Specially minors who are almost eighteen are worried about how to live after turning eighteen without the special care and assistant of a guardian and without practical help, supplies and money.

Minors in children's living groups and in asylum centers most often indicate that they mostly miss affective bonds. They talk about feeling lonely and emotionally unsafe. They have the feeling that they are not cared for and are alone in the world.

The minors tell that they mostly need trust, special care, affective and emotional bonds and education that suits them. They want to be part of the community. Most minors come to Europe with a dream for a better life, if possible to be reunited with their families. Almost all of them see education as the bridge to a better future. They are extremely motivated to get diploma's and feel very frustrated when they follow education which doesn't suit them. This seems to be a risk for developing feelings of depression, for drug abuse and truancy.

According to the results of the professionals (measured by the BIC-Q) on the 91 casus, the quality of the child rearing is best for minors living in families. The mean BIC-score is 12.34 which means that in families 12 of the 14 conditions for development are of sufficient quality. The scores on the quality of the childrearing in children's living groups and small living units are respectively 8.7 and 7.2. For children living in centers the quality of the child rearing is the worst. Only 3 of the 14 conditions for development are of sufficient quality. When we

compare the results on the BIC-Q with the results on the SDQ and YSR we see that there is a negative correlation between the quality of the child rearing and the social emotional state of mind of the minors. The higher the quality of the child rearing, the less problems children experience. In our study we see that *children living in families* have the lowest scores on the YSR and SDQ. They experience less social emotional problems than children living in small living units, children's living groups of in asylum centers.

## **Discussion**

Based on our study we conclude that the quality of the child rearing in asylum seeking centers is very low. We also see that minors living in asylum centers and in children's groups face much more severe problems than minors growing up in families. We presume that the problems are related to the type of care and shelter the minors receive. In families they develop attachment bonds with the parents and the other children in the family. They belong to the family and they more easily adapt to the Dutch society. Yet we can't be sure. It might be the case that youngsters with the most severe problems are placed in asylum centers because they don't fit into families. This is a subject for future study and research.

## **Part two**

### **The BIC-method put into practice in migration law**

#### *A case study*

We will now apply the BIC method to one of the interviews of the ama-monitor. It concerns a 17 year old boy from Afghan. Living in a foster family in the Netherlands. Together we will work out how the child's best interests could be assessed in a particular decision making procedure concerning the question where the boy should live in the Netherlands. First I will give you some background information on how to make such an assessment. After that you get time to read the case and together we will complete the BIC-Selfreport (pretending we are the boy involved) to decide on where he should be sheltered during his stay in the Netherlands to protect his developmental prospects best.

#### *The UN Committee for the Rights of the Child on Article 3 of the Convention on the Rights of the Child*

In 2011 the joint non-governmental organizations for children's rights in the Netherlands submitted the BIC methods to the UN Committee on the Rights of the Child to make a contribution to the discussion of the contents of Article 3 of the CRC which resulted in General Comment no 14. GC no. 14 explains that the best interests of children must be assessed and determined in each *individual case* in the light of the *specific circumstances* of each child or each group of children. These circumstances are related to the *individual characteristics* of the child and to the *social and cultural context* in which the child finds himself.

Those making a decision must take the child's developmental possibilities into account which means that the possible scenarios of the child's development should be considered and

analysed in the long and short term. In this context decisions should assess the continuity and stability of the child's present and future situations.

Moreover, the best interests of the child must be determined by professionals, preferably by a multidisciplinary team. A best-interests assessment can only comply with the principles and intentions of Article 3 CRC if the child's views are taken into account in the best-interests assessment and appropriate weight is given to them. To arrive at an adequate assessment, first of all the *relevant elements* in the best-interests assessment must be determined. The elements must be *defined* and *assigned a relative weight*. A procedure must be followed which ensures *legal guarantees* and *proper application of the law*. The BIC method is consistent with the vision of the UN Committee on the Rights of the Child and can be used in all kinds of decisions, within all areas of law in which the best interests of the child shall be a primary consideration and in which the quality of the child's environment is at stake.

*Assessing the characteristics and social and cultural environment of the child in practice*

In the assessment, the most weight is to be assigned to these elements that are the most important to guarantee the child's prospects on a healthy (holistic) development and the experiencing of a good childhood considering the full and effective enjoyment of the CRC rights on the short and the long term.

The BIC method is in agreement with the outlines for assessment as supplied for in GC no. 14. This means that an academically tested basic method is available which can be implemented in accordance with the Committee's intentions. By following the guidelines of GC No. 14, children's rights will be 'fully' protected in decision-making procedures involving children.