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EDITORIAL

Practical defies of remembering that the child is an individual

Each child's individual rights are often forgotten despite universal "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family (including the child) [being] the foundation of freedom, justice and peace in the world" (Preamble of the Universal Declaration of Human Rights).

When a child is in need of alternative care or a permanent solution, such as adoption, an assessment of his individual needs is required to find the most suitable solution. Whilst there is wide consensus with this principle embedded in international standards, reiterated by the Committee on the Rights of the Child in its General Comment N° 14 on the Best Interests of the Child, implementation in practice can be challenging.

Individual history

Each child has a unique history that can influence his development. Yet, there is an expectation that each child meets certain milestones – physical and emotional – irrespective of his past, with the consequence that most services are geared towards this goal. Such an approach can be misguided, especially for children deprived of their family, suffering from significant losses, disruptions and trauma. Children in this situation often face additional behavioural and relational challenges, so the timing of, or even conventional milestones themselves, may be less applicable. It is therefore encouraging to see that attachment informed courses for 'parenting children with additional emotional, social and behavioural needs' exist (see p. 5). One hopes that such courses will become 'mainstream', perhaps even compulsory for all involved in alternative care.

Individual needs

Not only does each child have an individual history, each child has individual needs – some even special needs. By ignoring this reality, and perhaps with the premise of treating everyone equally to avoid discrimination, there is often little success with traditional approaches.

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For example, the difficulty of finding families to care for children with special needs is well known – rarely do carers sign up as a first preference for a child with special needs. This is why the ISS/IRC is pleased with the lessons learnt from the United Kingdom and supports creative approaches, as, ultimately, what we are looking for are ‘alternative’ care responses (see p. 8).

Likewise, a mechanical application of laws, especially tempting when comprehensive legislation is in place, can lead to unrealistic outcomes when individual needs are overlooked. To illustrate, a law might state that adoption is to be considered following attempts of family reintegration and other family-based solutions, such as foster care – encouraging professionals to automatically propose adoption for each child after each box has been ticked. By disregarding the individual needs of the child (*e.g.* psychosocial needs, capacity to form attachments, etc.), it is difficult to assess whether he will truly benefit from an adoption or any other child protection measure for that matter.

Individual resources

There are at least eight million children living in care institutions according to UN estimates – all with individual histories and needs. Exact numbers in informal care and in other alternative care settings are unknown but certainly likewise in the millions. The individual resources required to cater for the needs of such numbers can be overwhelming. However an early investment can allay greater problems. What can help potential carers or prospective adopters is direct support for the caregiving role. For instance, adoption leave is one way of promoting domestic adoptions, particularly in countries where there are long waiting lists of adoptable children (see p. 4).

However, the ISS/IRC would go even further to argue that perhaps there should be some type of leave granted to informal carers (*e.g.* wider family or kinship carers) and foster carers. At the very least, respite services for carers should be encouraged, especially in cases where the child has special needs (see p. 9).

The building of healthy attachment ties is not automatic in any family setting. Surely by accounting for individual histories and needs, as well as by providing for individual resources, this can only improve the situation of the child and his carers. Irrespective of the approach, the ISS/IRC reiterates the need to remember that each child is an individual and to proceed accordingly.

The ISS/IRC team
April 2015

ACTORS

- **Germany:** This country has updated the contact details of its accredited adoption bodies.

Source: The Hague Conference on Private International Law,
http://www.hcch.net/index_en.php?act=conventions.publications&dtid=43&cid=69.



BRIEF NEWS

Bilateral agreement between Spain and Russia: Release of intercountry adoptions for Spanish prospective adopters

In March, the Russian authorities approved this agreement – a step taken by the Spanish Parliament since October 2014. In accordance with the new Russian legislation of June 2013, the adoption of Russian children by foreign couples residing in countries allowing same-sex marriages are prohibited. In Spain, one of the top receiving countries of Russian children, over 600 families, of which approximately one hundred had already been matched with a child, were affected by this provision and by the suspension of the procedures that resulted from the latter. This new agreement is a first sign of resumption of intercountry adoption by the Russian authorities towards a country with such a legislation. However, the agreement states that the prospective adopters must meet the conditions imposed by the legislation of both countries, thereby implying the prohibition of adoption by same-sex couples. Furthermore, the agreement includes the possibility, for the Russian authorities, to request follow-up reports on the child and his situation, irrespective of the date of the adoption. It also provides for the systematic registration of the child on the consular registry of the Russian Consulate at the child's place of residence.

Sources: Spanish Ministry of Foreign Affairs and Cooperation, *Boletín Oficial del Estado*, <http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Actualidad/Documents/BOE-A-2015-3274.pdf>; Adoptantis, *El Periódico de la Adopción*, N° 139, March 2015, <http://www.adoptantis.org/wp-content/uploads/2009/04/pa139.html>.

Surrogacy and intercountry adoption: A report explains how the lessons learnt from intercountry adoption can be useful for global surrogacy

In her 2014 report titled *Force, fraud and coercion: Bridging from knowledge of intercountry adoption to global surrogacy*, Karen Smith Rotabi explains how the knowledge acquired through the past research on force, fraud and coercion in the context of intercountry adoption can be bridged into research in global surrogacy. As mentioned by the author, in the abstract, '[t]he lessons learned from a history of corruption and human rights abuses are important to integrate when formulating future international law and regulations to protect vulnerable peoples in global surrogacy practices [...]. Effective prosecution of crimes, implications for a convention on global surrogacy, exploitation in global surrogacy arrangements, emotional safeguards for surrogate mothers, limited knowledge about the sense of origin, and experiences of children born through surrogacy are all areas in need of continued research'. In a forthcoming issue of the *Monthly Review*, the author will present her new book on the subject.

Source: Smith Rotabi, K., *Force, fraud, and coercion: Bridging from knowledge of intercountry adoption to global surrogacy*, 2014. (K.E Cheney, Ed.), ISS Working Paper Series / General Series (Vol. 600, pp. 1–30), International Institute of Social Studies of Erasmus University; retrieved from: <http://hdl.handle.net/1765/77403>.

ISS/IRC NEWS

Armenia: Assessment of the adoption system undertaken by the ISS/IRC

In November of last year, the ISS/IRC Director, Hervé Boéchat, together with independent expert Nigel Cantwell, undertook an assessment of the adoption system in Armenia. This project took place in the framework of the ongoing reform of the legislation on adoption, and was made possible thanks to the support of the Office of UNICEF in the country and USAID. On 9 April 2015, a conference was organised in Erevan to discuss the conclusions of the report, presented by the ISS/IRC Director. About 40 Armenian professionals in charge of child protection attended the event, and had the opportunity to share their remarks and proposals. The report (translated into Armenian) was also presented to the Minister of Labour and Social Affairs, who expressed his support to the process and his gratitude to UNICEF and ISS. As a way to ensure transparency, the Armenian authorities decided to make the mission report public.

Source: The report is available upon request to irc-cir@iss-ssi.org.



Adoption leave, a means to promote domestic adoptions

The granting of adoption leave is not only essential for a successful attachment between the child and his adoptive family, but must absolutely be promoted in order to increase domestic adoption, especially in countries where long waiting lists exist.

Following an increased awareness as to the need for adoption leave in many countries, there exist, nowadays, numerous variants of adoption leave provided for in legislation or in family-professional life conciliation policies. These differences essentially address the length of the leave depending, for example, on the number of children cared for in the home or on the age of the adopted child, the beneficiaries (mother and/or father, or other family members, an employee, self-employed or unemployed) or on the condition and forms of granting it (length of service, membership of a social security system, wage by the employer or the insurance, etc). Depending on the country, this leave can be granted during the pre or post-adoption period and begin at different times (the *de facto* arrival of the child in the home, the entrustment of the child to the adoptive parent(s) or the final adoption judgement).

Essential tool for the promotion of domestic adoption

It should be noted that there are still a large number of countries that fail completely to regulate adoption leave or envisage it in a manner that is too restrictive. In fact, the care of children by domestic adopters could be promoted by assimilating the rights and benefits of adoptive parents to those of biological parents. This is particularly relevant in countries where there are growing waiting lists for children in need of placement, e.g. the United States of America (102,000 in 2013) or Canada (30,000 in 2013). Furthermore, in many countries children with special needs are often over-represented in

institutions waiting for a permanent placement.

The components of adoption leave to be encouraged

To take into account the specific needs of an adoptive family, the ISS/IRC would like to encourage the following elements:

- the *provision of pre-adoptive leave*: in order for the administrative procedures and preparations for a domestic or intercountry adoption are taken into account (see France, Denmark)²;

- a *minimum length of four months irrespective of the age of the adopted child* (see Germany,

Australia, Bulgaria, Chile, Croatia, Sweden, Quebec)³;

- the *de facto arrival of the child in the home as the starting point for the beginning of the post-adoption leave*, given that it is from this moment that the child's adjustment to his new environment and *vice versa* truly begins (see fn. 2);

- *flexibility in the length of leave according to the number of children in the household*, which allows, not only the benefit of longer leave in the case of the

presence of biological children, but also takes into account the increasing frequency of cases of intercountry adoption of siblings (see fn. 2);

- the *provision of remuneration*: the adoption of a child often proves very costly. In many cases, the provision of unremunerated adoption leave forces the parent(s) to return to work before the end of the leave (see Germany, Colombia, France, Russia, Venezuela)⁴;

- the *right to adoption leave given to each adoptive parent without distinction*: there is an increasing number of adoptions by single parents, both men or women, who should be able to

Dispense with a differentiation between birth and adoptive parents

It goes without saying that the time consecrated to establishing bonds is of crucial importance for the building a new family. Not only can an unsuccessful attachment have a significant impact on the neurobiological development of the adopted child, but it has also been demonstrated that the psychological experience of adoptive parents often resembles that of parents of a newborn, thereby making a distinction between biological and adoptive parents unfounded and even discriminatory. Indeed, the European Court of Human Rights¹ has recently decreed that an interpretation, which is too restrictive concerning the granting of adoption leave, leads to a violation of Art.14 (prevention of discrimination) combined with Art. 8 (right to respect for private and family life) of the European Convention on Human Rights.



benefit from an individual right to leave (see Chile, France, Peru)⁵.

Each of these components acts positively on the building of solid attachment bonds, an essential element of a successful adoption. Improving the quality of adoption leave brings into play the principle of subsidiarity and builds an effective means of increasing domestic adoptions for the countries concerned.

References:

¹ See European Court of Human Rights, *Topčić-Rosenberg v Croatia*, 19391/11, 14 November 2013 [http://hudoc.echr.coe.int/sites/fra/Pages/search.aspx#{"fulltext":\["topcic-rosenberg%20c/Croatie"\],"itemid":\["002-9232"\]}](http://hudoc.echr.coe.int/sites/fra/Pages/search.aspx#{).

² France: Labour Code, <http://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006072050&idArticle=LEGIARTI000006900897&dateTexte=&categorieLien=cid.>; Denmark: Unified Law N° 1084 of 13 November 2009 relating to the rights of leave and benefits due to the birth of a child, <http://www.ilo.org/dyn/travail/docs/2052/Consolidation%20Act%20on%20Entitlement%20to%20Leave%20and%20Benefits%20in%20the%20Event%20of%20Childbirth.pdf>.

³ Germany: Arts. 4 and 15 of the *Bundeselterngehd und Elternzeitgesetz* (BEEG), <http://www.gesetze-im-internet.de/bundesrecht/beeg/gesamt.pdf>; Australia: Sect. 70 of *Fair Work Act* of 2009, 12 months unpaid adoption leave, http://www.austlii.edu.au/au/legis/cth/num_act/fwa2009114/; Bulgaria: European Commission, http://ec.europa.eu/employment_social/empl_portal/SSRinEU/Your%20social%20security%20rights%20in%20Bulgaria_en.pdf; Practical Law, *Employment and employee benefits in Bulgaria*, Law at 1 January 2014, <http://uk.practicallaw.com/8-503-3652#a869412>; Chile: Adoptive Father and Mother benefiting from adoption leave of 12 months (art. 197bis of the Employment Code), http://www.dt.gob.cl/legislacion/1611/articles-95516_recurso_1.pdf; Croatia: European Union, *European Platform for Investing in children, A network of family supports*, February 2014, http://europa.eu/epic/countries/croatia/index_en.htm; Sweden: *Law on Parental Leave*, <http://www.government.se/content/1/c6/10/49/85/f16b785a.pdf>; Quebec: Art. 81.11 of the *Employment Standards Legislation*, http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/N_1_1/N1_1.html.

⁴ Colombia: *Employment Code*, amended by *Law N° 1468 of 2011*; Art. 236(4), <http://www.ilo.org/dyn/travail/docs/1539/Codigo%20Sustantivo%20del%20Trabajo%20Colombia.pdf>; Russia: 60 days of paid adoption leave (equivalent to maternity leave), no rights for the father, http://www.leavenetwork.org/fileadmin/Leavenetwork/Country_notes/2014/Russian_Federation.pdf; Venezuela: Art. 340 of the *Organic Employment and Workers Law*: paid adoption leave for the adoptive mother, <http://www.lottt.gob.ve/>.

⁵ Peru is currently reviewing the adoption leave (of 30 days) and both adoptive parents could, in the future, benefit individually.

PRACTICE

Therapeutic Parenting: Relationship and Regulation – A trauma and attachment informed course for parenting children with additional emotional, social and behavioural needs

Sandi Petersen, from Relationships Australia, provides a brief overview of the purpose, content and transferability of this programme.

The Therapeutic Parenting programme was developed in 2007 in the Post Adoption Support Service, a program of Relationships Australia (SA) for families with intercountry adopted children.

Many of these children had experienced institutionalised care, early trauma and multiple attachment disruptions, in addition to suffering the significant loss of their first family, their



country and culture. This complex background of loss and trauma can impact the way the children perceive themselves and others, and the way in which they interpret their parents' actions. This may lead to emotional, behavioural and relational challenges within the family early on, or later in adolescence or teen years.

Course objectives

There is a growing body of information for professionals on the impact of developmental trauma and attachment disruptions for a child. However, this information has not adequately been transferred to parents and carers (hereafter 'parents') to effectively support them in their day-to-day parenting interactions. Parents of children with challenging behaviours can become confused, frustrated and distressed. They may then react in ways, which are at best ineffective and at worst detrimental to the building of healthy attachments and the child's healing. The foundation stone for this programme is the belief that in order to effectively support children, parents must be assisted to enable a therapeutic relationship and environment for their child.

Course content

The course is generally run over six weeks and combines therapeutic group work alongside provision of information and skills development. Through normalising the challenges faced by participants, new understandings about their child and themselves are fostered. This enables openness to learning therapeutic attitudes, which have a focus on safety in relationships, as opposed to managing behaviour. The course

explores early brain development and core challenges, which commonly exist for children with complex histories. This reframes 'abnormal' behaviour into behaviour that makes sense given the context of the child's experience. This helps parents to let go of unrealistic expectations and provides insight to why a child might not respond positively to 'behaviour management' parenting. Behaviour management parenting rewards positive behaviour and ignores or gives a consequence (including anger, frustration or disappointment shown in the parents' body language, voice tone or eye contact) for undesired behaviour. Alternative approaches, which build connection and regulation in the child, are explored. The change in the parent frequently brings positive changes in the child's behaviour. However, perhaps the most significant outcome is parents reframing their role and expectations, which brings an increased sense of fulfilment and enjoyment in their parenting. This, in turn, impacts the child's sense of acceptance and well-being.

Transferability

The programme has been found transferrable and relevant to many sectors of the community. This includes parents of children of all ages, including young adults and where the child is no longer living in the home. To ensure useful and meaningful application to different contexts, additional versions of the programme have been written, including for families at risk of homelessness, culturally diverse populations, parents with mental health challenges, and for parents of children on the autism spectrum.

Reference:

¹ Training for facilitating courses is provided through The Australian Institute of Social Relations, a division of Relationships Australia (SA) Inc., several times a year. Further information about the programme is available at: <http://www.nla.gov.au/openpublish/index.php/aja/article/viewArticle/2524> or by contacting the author at S.Petersen@rasa.org.au.



APFEL: Acting for the promotion of foster care at European level

The international association APFEL aims to promote quality foster care, as an essential resource in child protection. APFEL is a European exchange hub, which focuses on the quality of foster care practices and on innovative research on the latter.

Following the conference of the French Association of Foster Placements (ANPF), held in Strasbourg at the end of September 2010 and titled 'European perspectives on foster care', an informal group of Europeans involved in foster care got together: foster families, placement and family support services, trainers, researchers, decision-makers. This is how APFEL was born in 2013 as an international association under Belgian law, gathering physical and legal persons, effective and associate members. Currently, its 30 participants come from 10 European countries: Belgium, Bulgaria, France, Italy, Luxembourg, Norway, Spain, Switzerland, The Netherlands and the United Kingdom.

Working method

The working languages of the association are French and English, the true European esperanto. It is worth mentioning that the enthusiasm and the goodwill of its members have overcome the linguistic and cultural obstacles. For the past five years, the life of APFEL has taken place mainly through formal and informal communications between its members in two-day meetings held twice a year. These meetings are open to effective and associate members, as well as to external individuals. At the beginning, these meetings were held in Brussels, hosted in turns, by the French-speaking Community and by the Flemish Community. After that, with the intention of better knowing each of its members, APFEL decided to organise a kind of 'caravan' that would move every six months to France, Switzerland, The Netherlands or Italy. APFEL is also trying to plan a large European conference on foster care.

A bilingual website has been created (www.apfelnetwork.eu). However, due to the lack of logistical means, this tool, which should in the future become a true network of exchanges of contacts and documents, does still not comply with the association's wishes. Indeed, the development of APFEL relies, to date, essentially on the volunteering commitment of its members.

One of the key issues for this young association is to find the technical and financial means that could support and coordinate its work.

Three thematic groups

Despite the heterogeneity of practices, legal frameworks and cultural contexts, the same questionings as to the essential issues in foster care are found everywhere. The latter are the subjects of three working groups within the association, each focusing on one of the foster care parties, and confront the views of researchers and practitioners:

- in relation to the *placed child*: How is his awareness of the situation supported? How is his voice received and heard? What tools are available and used, in particular the 'life book'? In reply to these questions, a research action has been launched in France, in order to create a tool aimed at gathering the life story of the placed child.
- in relation to the *carers* (from the family network or others): How does the assessment of their abilities operate? What preparation, training and support is offered to them? The methodologies to objectivise the abilities of the families and to support them are very varied.
- in relation to the *parents*: How to share parenthood and develop various types of plural parenthood around the placed child? What is foster parenthood?

APFEL's ambitions

- To allow the discovery and analysis of foster care systems in European countries; to further the sharing of experiences and information;
- To organise exchanges and create a 'resource hub' for all those, who wish to promote and improve the quality of foster care for children and young people;
- To provide European professionals with a forum of reflection and training on all issues relating to foster care, in particular its innovative practices;



- To compare domestic contexts, identify important trends and good practices, disseminate research and innovative tools;

- To use the European space as a source of intercultural openness through exchange, comparative analysis, the sharing of experiences and knowledge.

The ISS/IRC promotes and strongly supports APFEL in its initiatives aimed at promoting an exchange of practices and at improving the quality of foster care in relation to all persons involved, in particular the child.

Reference:

For further information: APFEL a.i.s.b.l., Vincent Ramon (President) and M-F. Lambert (Administrator), rue Joseph Vanderlinden 12/1, 1180 Uccle (Belgium); E-mail: contact@apfelnetwork.eu; <http://www.apfelnetwork.eu>.

SPECIAL SERIES: CHILDREN WITH DISABILITIES AND ADOPTION

Recruiting foster and adoptive families for children with disabilities¹

'There is no such thing as disabled children: only this disabled child'. The ISS/IRC warmly welcomes this contribution by Jennifer Cousins, Consultant & Trainer in Fostering, Adoption and Disabled Children – very timely – given the growing numbers of adoptions for children with special needs.

Ideally, a truly inclusive recruitment strategy does not define a child as 'disabled' or 'not disabled', and does not separate children according to definitions which are open to constant disagreement. A term like 'disabled children' disadvantages a disabled child who needs a new permanent family: 'disabled children' are not a homogenous group: each child is an individual. However, this article recognises current practice where such distinctions tend to be made.

Initial campaign decisions

The first choice for an agency in designing a recruitment campaign is whether to advertise specifically for families for disabled children or whether to appeal generically to anyone interested in fostering or adopting, hoping that a large pool of families can be created and that any one of these may meet the needs of a particular child, disabled or otherwise.

A focused disability campaign has merit, but will have limited results. A small number of people, who are familiar with the disability world may respond: they are unafraid of disability and are confident that they could meet the challenges. Publicity should be targeted directly at this group: staff rooms in special schools and hospitals, short-breaks (respite) schemes, specialist support groups, residential facilities or the specialised disability press.

On the other hand, people who have no experience of disability find the idea intimidating: they fear wheelchairs, house adaptations, transport problems, social embarrassment, and so on. A campaign which is generic (*i.e.* does not mention disabled children) may, counter-intuitively, be the best strategy. It will attract a broad range of potential foster carers or adopters who can be educated about a variety of children, each with their individual needs (consulting, assessing, understanding and profiling each child to a high standard is vital in this process). Whereas the abstract idea of disability is daunting, being led to think about one child, even a child with a particular need, is manageable². So, generic recruitment campaigns can be taken to both a wide cross-section of the usual venues, but also to the specialist sector as above.

Widening the pool of carers

Expressions of interest from the public should be pursued immediately. Myths about who is suitable should be dispelled. Welcome should be positively extended to older, single, gay/lesbian and disabled people, and to different minority ethnic groups; and previous experience of disability should not be a requirement. Publicity should capture people while engaged in normal everyday activities. Word-of-mouth is said to be the most effective recruiter of all, so existing



groups of carers are invaluable in generating new interest and creating a mutually supportive network. The greater the pool of carers, the more likely it is that children can be placed, where appropriate, in their home community³.

Essential strategies for success

However, that is only the beginning. Families must be suitably trained and prepared for both the general role of caring for someone else's child

and for meeting the needs of this individual child; and they must be supported practically, financially and emotionally after placement⁴. Broadcasting this post-placement support during a recruitment campaign is vital: but it must be delivered. This is a question of trust between the agency and the public: a good reputation will go far in helping to recruit more families for more children.

References/Notes:

¹ Disabled children or children with disabilities? There are two schools of thought: 'Children with disabilities' places children first, and who could argue with that? 'Disabled children' is a more political term. It acknowledges that a person with impairments is disabled by the unhelpful attitudes and practices of society, and thereby draws attention to society's responsibility to make changes.

² See forthcoming paper: 'Linking and Matching'.

³ Guidelines for the Alternative Care of Children, para. 119.

⁴ Guidelines for the Alternative Care of Children, para. 120)

Further information in Good Practice Guides: Cousins, J. (2006) *Every Child is Special: Placing disabled children for permanence*, London, BAAF and Cousins, J. (2008) *Ten Top Tips on Finding Families*, London, BAAF.

The *baluchonnage*: An innovative formula of respite and support for persons needing care and their close carers

In this article, written by Frédérique Lucet, we will define the term baluchonnage, identify specific qualities and the programme's proximity with the foster family. The baluchonnage could become a tool to strengthen the social inclusion of children and their parents and to better enforce their rights.

The *baluchonnage* (from the term 'bundle') is a unique, in-home respite and support service to carers and care-receivers created in Quebec in 1999 by Marie Gendron, a nurse and gerontology researcher, who specialises in working with persons living with Alzheimer and their caregivers¹. Marie Gendron had noted that:

- the person needing care often makes the choice to stay in his home rather than go into an institution; and
- this choice is undertaken at the cost of a loss of freedom for the person (the carer), who looks after the individual.

A support situation with risks

These risks are the following:

- The risk of social and emotional isolation and the social exclusion of the carer infringes on his fundamental rights² and increases the risk of exhaustion for the carer with detrimental consequences for his health³;

- A risk regarding the quality of the relationship between the carer and care-receiver (deterioration of the relationship, feelings of being closed in and of constraint...);
- Resulting in a risk for the vulnerable person: of mistreatment, neglect, abandonment and institutionalisation.

In order to avoid these risks, the main requests of the carers are for respite^{2 and 4}

To date, the solutions for respite were of short duration (several hours) or involved the dependent person leaving the home for the respite period (temporary accommodation in an institution). A positive solution for the carer, but not so positive for the person needing care: particularly for those persons in need of emotional security and stability (children, elderly confused people...). Thus, the *baluchonnage* offers an inclusive response that reconciles the needs, choices and rights of everyone. In the



Quebec model of *baluchonnage*, it is the professional, supporting the person needing care, who moves into the home.

The characteristics of the *baluchonnage*: a single intervention 24 hours a day

The *baluchonnage* therefore offers more than just respite. It supports the quality of the relationship between the carer and the person needing care during this time. The duration and the immersion in the home allows the '*baluchonneuse*' (the professional, usually a woman), in addition to her presence and the support measures provided to the person needing care:

- to identify and respect their needs, abilities and wishes,
- to support their competences and autonomy,
- to experiment with strategies to improve the daily life at home,
- to share, via a support diary, her observations with the carer: all this facilitates the carer's return to the home and prevents the deterioration of the relationship and any risks of mistreatment or negligence.

This is carried out thanks to the unique positioning of the *baluchonneuse*:

- the creation of a relationship of trust and cooperation with the carer: an essential – *sine qua non* – condition for the carer to leave 'with peace of mind' and for her legitimacy in the role of support to the carer,
- the creation of a reassuring link with the patient: the *baluchonneuse* acts as a 'representative' of the relative in his absence, we believe that she engages in her role by providing a basis of security and a continuity in attachment bonds,
- the exceptional individualisation of care giving ('one to one', 24 hours a day in the home, respecting the lifestyle, dynamics and preferences of the person needing care...),
- a hybrid professional practice, which takes over the activities of the carer whilst adding the experience and the professional know-how of the

baluchonneuse and the close relationship : her work is therefore a professionalised support (a therapeutic strategy), of 'technical' activities (nursing, relationship care...), regular daily activities and domestic work (cleaning the accommodation, preparing meals, rest periods, etc.) and a personal and emotional involvement.

Foster care ... at home?

The *baluchonnage* therefore consists in numerous similarities with foster care. As with foster care, professionalism does not prevent this activity from extending widely beyond the framework of an employment: this makes it a 'care job'⁵, because providing care to a vulnerable person with consideration and concern cannot be reduced to a list of tasks. The profiles needed for the *baluchonnage* are therefore, logically, close to those of foster families.

A *baluchon* for vulnerable children?

Today, in France, the model of *baluchonnage* is about to be provided for in law: Article 7 of the Law on the adjustment of society to aging⁶, removes the legal obstacles to the *baluchonnage* in France, by authorising, under certain conditions, the intervention of one person 24 hours a day. The *baluchonnage* is being extended to those persons, who are in need of continuous care, children, adults or the elderly. Let us see how the *baluchonnage* could be used as a tool for vulnerable persons and their rights (see, the UNCRF, the Convention on the Rights of Persons with Disabilities and the Guidelines).

Baluchonnage and ethics

Respect of human dignity, equal rights, social inclusion and fairness: the Ethical Code of *Baluchon* for Alzheimer⁷ states that the *baluchonneuse*:

- recognises, accepts and supports the vulnerability of the person needing care and acts to support his abilities, development and autonomy,
- gives particular attention to and supports the quality of the relationship between the person needing care and his family,
- acts in partnership with the carer and bases the action on the sharing of



experience. This solidarity towards the carer acts as an ethical safeguard: it is not a matter of assigning a role to the carer but of helping him to fulfil that role if, and as long as, this is his choice.

The respect and the welfare of the *baluchonneuse* by her employer is essential: the *baluchonnage* takes care of those, who take care of those, who take care... by valuing and recognising the 'invisible work' of care and the professionalism of its practitioners⁵.

The *baluchonnage*, a lever for the enforcement of rights

Its capacity to reconcile the wishes, needs and rights of individuals gives the *baluchonnage* a political significance because it provides a means to act concretely in favour of rights, and in accordance with the principles of international

standards. Indeed, the *baluchonnage* applies to the situation of children with specific needs and their families, and could support the implementation of the rights of the most vulnerable children, in accordance with the Guidelines: it encourages in-home care and proposes an alternative to institutionalisation (prevention of institutionalisation, preparation for the return to the family), it allows the social inclusion of the child, works towards his full development thanks to appropriate and individualised measures, it can be involved in a detailed evaluation of the needs of the child and his family (parents and siblings), it is concerned with supporting the parents and strengthening their capacity, and ensures a quality which relies on taking into account the child's opinions and that of his close carers.

There remains a legal framework to formalise: the State's responsibility and the role of guarantor, the training of service providers, quality standards and accreditation, practical and ethical recommendations... Likewise, the Guidelines and the human rights instruments in force (UNCRC, CRPD) could then also reciprocally support the *baluchonnage* by giving this programme the tools to achieve its ambitions!

References:

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⁷ *Code éthique de Baluchon Alzheimer*, <http://baluchonalzheimer.com/wp-content/uploads/2013/11/CodeEthique-3.pdf>.



FORTHCOMING CONFERENCES AND TRAININGS

- **France:** **a)** *Le devenir des adoptés (15-30 ans): Regards croisés des chercheurs, professionnels, adoptés et adoptants* [The story of adoptees (15-30 years old): The perspectives of researchers, professionals, adoptees and adopters], International Conference, EFA, Paris, 4-5 June 2015. For further information, see: <http://adoptionefa.org/index.php/component/content/article/36-generalites/731-le-devenir-des-adoptes-15-30-ans>; **b)** *Accueillir: Et quand la culture s'en mêle ?* [Care: When culture becomes involved], Association Pikler-Lóczy, Paris, 17-19 June 2015. For further information, see: <http://www.pikler.fr/activites/ficheformation.php?n=1&fiche=613>; **c)** *La consultation des dossiers administratifs, Préparation et accompagnement* [The access to administrative files: Preparation and support], COPES, Paris, 15-17 June 2015. For further information, see: <http://www.copes.fr/Annexes/Formations>.
- **New Zealand:** *Fifth International Conference on Adoption Research (ICAR5)*, Auckland University of Technology, Auckland, 7-11 January 2016. Deadline of the call for abstracts: 1 August 2015. For further information, see: <http://www.icar5newzealand.com/>.
- **The Netherlands:** **a)** *Frontiers of Children's Rights*, Summer Course of the University of Leiden, Leiden, 7-11 July 2015. For further information, see: http://www.grotiuscentre.org/resources/1/Children's%20Rights/Factsheet_Summer%20School%20Children's%20Rights%202014_Leiden%20University.pdf; **b)** *Master of Laws in Advanced Studies in International Children's Rights*, University of Leiden, Leiden, starting September 2015. For further information, see: <http://en.mastersinleiden.nl/programmes/international-childrens-rights/en/programme>.
- **United Kingdom:** **a)** *International Summit on the Legal Needs of Street Youth*, American Bar Association, London, 16-17 June 2015. For further information, see: http://www.americanbar.org/groups/public_services/homelessness_poverty/events_cle/street_youth.html **b)** *Considering adopting a disabled child*, BAAF, Leeds, 5 June 2015; **c)** *International children and families – Dealing with care proceedings and placements*, BAAF, London, 10 June 2015; **d)** *Preparation training for carers considering a transracial placement*, BAAF, Leeds, 24 June 2015. For further information, see: <http://www.baaf.org.uk/training/events?page=3>.

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