



**Missing
Children
Europe**



**Enhancing the Wellbeing of Children
Before, During and After
Legal Proceedings of International Child Abduction**

Views and Voices of 24 Young People in Flanders, Belgium

Sara Lembrechts¹, Eveline Vlassenroot², Hilde Demarré³, Thalia Kruger¹, Wouter Vandenhoele¹, Lieven De Marez² & Koen Ponnet²

¹ University of Antwerp

² imec-mict-Ghent University

³ Missing Children Europe

Table of contents

1. Synopsis	4
2. Introduction	4
3. Methodology	7
3.2 Focus Group Discussions	7
3.3 Data Analysis	9
3.4 Ethics	9
4. Results	10
4.1 General Findings	10
4.1.1 Family	10
4.1.2 Dealing with the Abduction	11
4.1.3 Organization of the Return Procedure	11
4.1.4 Follow-up After Return	12
4.1.5 School	13
4.2 Feelings and Attitudes of the Child	13
4.3 Voice of the Child	14
4.3.1 Involvement of the child during the conflict and in the decision	14
4.3.2 Right to be heard during the procedure	15
4.3.2 Conversation management in general	15
4.3.3 Best interests of the child	15
4.4 Implications of the Abduction	15
4.5 Emotions and Reactions Assigned to Both Parents	16
4.5.1 Responsibilities and rights	16
4.5.2 Abducting parent dealing with the situation	17
4.5.3 Left-behind parent dealing with the situation	17
4.6 Role of Different Professionals or Support Figures	17
4.6.1 Judges	18
4.6.2 Psychologists	19
	2

4.6.3 Police	19
4.6.4 Other professionals	20
4.6.5 Non-professional support	20
4.7 Attitude of different professionals or support figures	21
4.7.1 Communication	21
4.7.2 Specific values or qualities	22
5. Conclusions and recommendations	25
5.1 Parents as important figures in the life of children and young people	25
5.2 Involving children and young people in abduction proceedings	26
5.3 Professionals and people providing support	26
5.4 Doing research with children and young people	27
6. Appendix	28
Appendix 1: Scenario of the Focus Group	28
Appendix 2: Code tree	32

1. Synopsis

Twenty-four youngsters, from Flanders, Belgium, took part in a qualitative research study in May 2019. They were between 14- and 18-years old and participated in four in-depth focus group discussions. Those were built on the fictitious scenario of an 11-year old girl, Eva, abducted by her mother from Belgium to Spain. The idea was to explore the views of the youngsters and obtain their insight as to how children and young people in international child abduction proceedings should receive support from judges and other professionals. In addition, the study inquired into the extent to which support is needed and the factors that influence the wellbeing of children and young people abducted by one of their parents, such as the involvement of the child in procedure, the attitude of the adults involved, parent-child communication styles, and the organization of return.

The students quickly recognized the child abduction narrative in the scenario and shared their views on several topics. They discussed aspects on how to deal with the abduction and associated positive concepts on the topic of family, such as support of the family and more generally trust. They expressed concerns about specific details, such as the organization of the return, the length of proceedings lasting up to 6 weeks, the heavy burden of the court proceedings, and the practicalities of the return flight to Belgium. Reactions towards both parents and the reactions towards the behavior of other people like classmates were discussed. The participants acknowledged that coming back from Spain to Belgium may not have been so easy. The importance of school came into focus multiple times.

The participants also reflected on the negative emotions and reactions of the child, i.e. embarrassment, discomfort or trauma. Different ideas were gathered about hearing the voice of the child throughout the procedure depending on age and other factors. The students thought about and identified negative consequences for Eva's future. They defined and evaluated the responsibilities of adults in such procedures, distinguished the role and attitude of parents, professionals and support figures. The researchers gained in-depth knowledge and insight by observing the views of young people and the way in which they would approach a (fictitious) problem based on a family context.

This report reaffirms, further specifies and nuances some conclusions of both the EWELL and VOICE projects. Additional recommendations and conclusions are formulated on the following 4 topics based on the outcome of the focus groups:

- Professionals and non-professional support
- Involving children and young people in abduction proceedings
- The position of the child in a situation of an abduction
- General recommendations about conducting research with children

2. Introduction

Over the last three years, the European Union has funded a range of projects in the field of international child abduction to research children's wellbeing before, during and after procedures of international child abduction. The results in this report have come about in the aftermath of project Ewell (2016-2017) aimed at "Enhancing the wellbeing of children in cases of international child

abduction”¹ and Voice (2018-2019) to amplify “The Voice of the child in international child abduction proceedings in Europe”.² Specifically, Ewell formulated a call for further research in to the impact of specific factors on young people’s wellbeing including mediation, the role of information and transparency or lack thereof, children’s representation during legal procedures, the impact of a child’s return and enforcement of the return on wellbeing. Voice researchers aimed to find out what children and young people with no personal abduction experience had to say about this topic. This project includes the views of children who had experienced an abduction themselves.

The project is a qualitative research study involving a total of 24 youngsters (10 girls/14 boys), between 14- and 18-years, from two provinces in Flanders, Belgium. It was conducted using a children’s rights-based approach. The project recognizes the rights of children to express their views, needs and wishes on all matters affecting them. That is in line with Article 12 of the Convention on the Rights of the Child (CRC) and other children’s rights instruments. The specific right places a duty on adults, including researchers, to actively and genuinely give young people a say in the construction of new knowledge and evidence on issues that are relevant to their lives.

The methods involved four in-depth focus group discussions of 60-90 minutes each (referred to throughout this report as FG1, FG2, FG3 and FG4). The following two research questions were explored:

(1) How can judges and other professionals better support children and young people who end up in international child abduction proceedings?

(2) To what extent do the following factors influence the wellbeing of children and young people who have been abducted by one of their parents?

- Involvement of the child before, during and after the proceedings
- Attitude, role and support of parents, other family members and professionals
- Information, transparency and open communication
- The organization of return after a legal decision

A fictitious scenario was used in all four focus groups (see Appendix 1). Eva, 11, abducted by her mother from Belgium to Spain. All participants expressed their expectations towards adults for considering the specific circumstances of the child and family when deciding upon (non)return. In addition, they shared views on how children like Eva could be supported before, during and after the proceedings. Individual perspectives were exchanged on family, divorce, and abduction, the kind of information children need and who should provide it to them, whether young people want to have a voice, and if so, how this should work to be effective.

¹ EWELL – Enhancing the wellbeing of children in cases of international child abduction, JUST/2014/JCOO/AG/CIV/7752. Project partners are Child Focus, University of Antwerp, IKO International Child Abduction Center, CFPE Enfants Disparus, Ministre de la Justice de la République Française, Missing Children Europe and Cross-border Family Mediators.

² VOICE - The Voice of the child in international child abductions in Europe, JUST/JCOO/CIV/AG/2016/764206. Project partners are Missing Children Europe, Child Focus, Centrum IKO, MIKK, and the Universities of Antwerp, Ghent and Genoa.

Each participant was introduced to methodological issues (section 3) and seven themes were described to illustrate the research findings (section 4). The general findings are on participants' views, family-child abduction, organizing the return procedure, follow-up after return, and the importance of school (4.1). Participants' reflections on the emotions and reactions of the abducted child are presented in 4.2. Insights are captured about the voice of the child throughout the procedure (4.3), and the implications of an abduction in (4.4). Participants thoughts about the emotions and reactions of the parents are in 4.5), and the role (4.6) and attitude (4.7) of different professionals and support figures is touched upon.

The report concludes with a list of recommendations (section 5) for professionals and support figures working with families-in-conflict and families-at-risk of an international child abduction (for instance where there is conflict in a family and one parent has strong ties with a country other than the country where the family lives). It also formulates recommendations for involving children specifically in abduction proceedings and generally in research processes.

3. Methodology

3.1 Samples and Procedures

Four focus group discussions were organized to find out how young people think about enhancing the wellbeing of children who experience an international abduction by one of their parents. Five to eight students in their third or fourth year of high school and within an age range of 14 to 18 participated. The research team spoke to 10 girls and 14 boys from ASO³ (Vita & Pax College in Schoten, province Antwerp, n=18) and TSO/BSO⁴ (Edugo Glorieux in Oostakker, province East-Flanders n=6). The students from province East-Flanders were mainly students in electro-mechanics, while the students from province Antwerp studied science-mathematics, Greek or Latin. The focus groups were organized in May 2019 for a duration of 60 to 90 minutes each.

Participants were recruited through an interactive workshop on the rights of the child conducted in both schools. This workshop was integrated into regular curriculum courses and was attended by a total of 50 students, in close cooperation with the respective teacher (religious sciences, Dutch or French). The group was informed about a planned number of focus groups about the rights of the child in the family. No further details on the topic of child abduction were shared to allow participants to freely join the discussion using viewpoints from their personal background or experience. The selection criteria were limited to the provision of written and signed consent forms. Those who were interested to take part received an information letter with contact details of the researchers and a written consent for completion by parents, collection by the teachers and shared with the researchers.

The focus groups took place during or right after school, around lunch time. In Antwerp, the teachers allowed all 18 voluntary participants to skip an hour of class to attend the focus groups whereas in East-Flanders six active students were selected by a teacher from amongst those who had shown engagement and participation during religious science classes (see later in section 3.4 Ethics). The researchers provided water and sandwiches to all participants. At the start of the session, the students were informed about the procedures for data gathering (anonymity, voice recording) and were asked to sign a consent form. They were informed about their right to speak or to be silent at any time, as well as their right to leave the room if they no longer wished to participate. At the end, every student received an information leaflet with contact details for further questions, a gift to thank them for their contribution and a few weeks later, a summary of the preliminary research results and an opportunity to provide feedback or share further thoughts.

3.2 Focus Group Discussions

The participants were invited to introduce themselves using play cards from the game DIXIT. Each student chose one or more cards representing an important aspect of what 'family' means to them. They had about 60 cards to choose from, some of which are pictured in *Figure 1*.

³ The abbreviation ASO refers to Algemeen Secundair Onderwijs or General Secondary Education.

⁴ The abbreviation TSO refers to Technisch Secundair Onderwijs or Technical Secondary Education, whereas BSO or Beroeps Secundair Onderwijs means Vocational Secondary Education.



Figure 1. Sample of DIXIT cards chosen by the participants to explain what family means to them.

A girl who chose the card with the flowers, for example, said: "This picture is so beautiful, they are all so close together. My parents are still together, so yeah...". The card representing a mug with wings was important for another girl, because for her, "no matter how many problems you have in your family, you always find a way out. You always conquer this." Her parents were divorced. A boy, whose parents divorced when he was very young, found the card with the looking glass suitable. Another boy, referring to the card with the balloons, said that his family keeps him up and takes care that he doesn't crash or fall. As for the little mechanic on the bottom, one boy shared: "My parents are not that often at home, I have to take care of my little brother. He's kind of 'behind', he is not independent." The icebergs made another boy think of his family together and he noticed he too needs time on his own, which is why he often wishes to drift.

The above-mentioned game made it possible for everyone to get used to the focus group setting, to slowly enter the topic of different family situations and to share a thought or experience that was relevant to them. At the same time, the game allowed us to gather a wide range of insights on the complex reality of different families before entering the topic of child abduction.

After this introduction, the researchers presented the story of Eva, 11, who was abducted by her mother from Belgium to Spain. An English translation of the scenario is included in Appendix 1. Even though the scenario was fictitious, it builds on the findings from EWELL, and reflects the extent to which young people:

- are often not well informed about what is about to happen before, during and after the abduction;
- experience discomfort due to the distress their parent(s) is/are in;

- tend to miss their left-behind parent, regardless of whether he or she is the primary caregiver;
- secretly maintain contact with the left-behind parent;
- contact family members they do not see often;
- are confronted with different professionals.

The scenario was split into three parts - the circumstances of the abduction, the first few weeks in Spain, and the decision to return (see Appendix 1 for the full scenario). Participants were asked to express their feelings in relation to Eva's story: what they would do in her position, what kind of support they would need at different stages of the procedure, and how they see the situation through different people's eyes (e.g. Eva, her mother, her father, a teacher, a friend, etc.). They were also asked whether their views would change if Eva were their age, if the country she was abducted to were closer or further away, and if she had siblings. Finally, they were asked specific questions about the return and how this should be organized.

3.3 Data Analysis

Two authors recorded and transcribed the recordings analyzed the data using MS Word and applied a combination of inductive and deductive techniques. A cross-sectional method was followed whereby a common set of labels was applied across the whole sample, as opposed to applying labels across individual participating members⁵

In a first step, the data were organized according to broad themes or categories set a priori in line with the research questions. for example, family or voice of the child. Furthermore, the data were labeled or coded by searching for themes that emerged from the data themselves. This was done in consecutive rounds whereby recurring themes were identified, arranged, and re-arranged under higher-level categories. The coding process continued until new themes stopped emerging from the data. The result is a code tree which is included in Appendix 2.

3.4 Ethics

Approval for conducting the study was granted by the Ethics Committee of Social and Political Sciences at Ghent University, Belgium. All young people were informed that their participation in this study was voluntary, that their privacy would be maintained, and that no participants' names would be used in any publications resulting from the study. Informed written consent was obtained from each respondent, from one of their parents and from the principal of both schools.

⁵ Spencer, L., Ritchie, J., Ormston, R., O'Connor, W., & Barnard, M. (2014). Analysis: Principles and processes. In J. Ritchie, J. Lewis, C. McNaughton Nichols & R. Ormston (Eds.), *Qualitative Research Practice*. 2nd edition. (269-293). London, UK: Sage.

4. Results

The seven themes below illustrate the research findings. The first section highlights general views on family, child abduction, organizing the return procedure, follow-up after return and the importance of school (4.1). In the second section, participants' reflections on the emotions and reactions of the fictitious character, Eva, are presented (4.2). Insights about the voice of the child throughout the procedure are shared in (4.3) and the implications of an abduction follow in (4.4). Participants thoughts about the emotions and reactions of the parents are shared in 4.5 and finally, the role (4.6) and attitude (4.7) of different professionals and support figures is touched upon.

The findings of the focus groups are illustrated with paraphrases or quotes that have been translated into English from Dutch transcriptions. References to FG1, FG2, FG3 and FG4 are added when a quote is directly associated with a participant from the relevant focus group.

4.1 General Findings

4.1.1 Family

As explained above (see section 3.2), each focus group discussion started with an imaginative icebreaker that brought wider insight to young people's perspectives on family in general. All participants shared personal stories about their families having chosen one or more images freely from the DIXIT card game⁶. The participants also offered insight into their own family relationships, the values they held about their family situation or what was challenging for them.

Family is of great importance for most of the participants. They experience family as being supportive and associate it with solidarity, feeling at home, trust, freedom, overcoming difficulties, hugs and happiness. positive concepts Complexities like sharing the good and the bad sides of living together with various personalities were also highlighted several times. Young people appreciate their parents staying together, but even if parents are divorced, many of them talked about this in a resilient, self-assured and humorous way. Only one participant shared a predominantly negative experience about the disease and consequent death of the parent with whom he had the best relationship.

The focus groups have shown that family experiences may differ significantly between participants. Participants with siblings expressed a desire to be alone occasionally, whereas participants who are an only child might feel alone without wanting to be. Not having siblings was, to some of them, also an indication for a stronger bond with their parents. On the contrary, participants who have brothers or sisters considered their siblings to be important for bonding and teaming up. At the same time, siblings came out as a source of anger and frustration, and sometimes as a form of competition they liked or disliked. Some participants shared that their siblings have special needs, for example because they were foster children or had mental disabilities.

In relation to the scenario on child abduction, siblings were considered a strength across all focus groups: "I am the youngest of four, and my older brothers would definitely take action... We would work out some kind of plan!" (FG2). In one conversation, participants also discussed that when you

⁶ See Figure 1.

are an only child, like Eva, you probably trust your mother more, even if what she does may not feel right on all levels (FG2).

4.1.2 Dealing with the abduction

Most of the young people quickly recognized what the scenario is about. Two participants had witnessed a similar situation – one in the extended family (FG1), another from his personal experience (FG3). Others were familiar with the topic of child abductions from recent television programs or reality shows on Belgian television (FG2; FG4). Whereas for some the situation of an international parental child abduction sounded exaggerated (FG1), others explained it is probably not that unrealistic and may even happen more frequently than one would think (FG1).

Participants in all focus groups had a general feeling of injustice when referring to Eva's mother forbidding her to talk to her father and not being honest about the real intention of her trip to Spain. They did not agree with how the mother behaved: to them, her unilateral action is "strange", "antisocial" and "not well thought-through". The fact that the father did not know what happened to his daughter because the mother explicitly denied Eva's right to contact is something that worried them greatly (FG2; FG4), especially in the context of divorce (FG3). Also, the fact that the mother is stressed out for a holiday seemed suspicious. Some youngsters explicitly mentioned that they would be outraged if their parents would do something like this and could not imagine a similar scenario would happen in their own families (FG1).

Not all aspects of the scenario were negative. Young people mentioned that even if they would miss their left-behind parent, they would probably enjoy the holiday feeling in Spain (FG2; FG4), they would look forward to shopping at the airport (FG4) and would generally not mind to be away for a while (FG2; FG3; FG4). Seeing their grandparents (FG3) and the joy of making new friends (FG2) were mentioned as positive side-effects.

For some participants, the mother's unilateral action of taking Eva to Spain without her father's consent was "illegal" (FG2). The abduction was a crime that should be punished (FG1), or at least be dealt with in front of a court (FG1). Others were more nuanced and noticed that parents usually do what they think is best for their children, even if they sometimes make mistakes. Participants tended to disagree on whether punishing the mother with a prison sentence is a good solution (FG1; FG3). The word "criminal" was too harsh for them to describe the mother's status (FG4).

4.1.3 Organization of the return procedure

As to the way in which the abduction procedures are organized, in one focus group, the fact that the proceedings last at least six weeks was experienced as a hurdle (FG2). Some participants worried that court proceedings are a heavy burden for an 11-year old girl (FG1). At the same time, they thought that the father was right to go to court to try to solve the conflict, rather than taking a plane himself and re-abducting the child (FG4).

As to how to organize the return flight to Belgium, participants made a distinction between situations that completely run out of hand and situations in which a reasonable agreement between the parents can be reached. In the first case, they saw a need for an intervention by the police to make sure Eva gets on the plane, whereas in the second case, the trip could be a relatively harmless experience in

their opinion (FG2, FG3). It was important for the young people that someone who Eva trusts would accompany her to Belgium, both “to make sure she actually arrives” (FG1) and because “it is nicer not having to travel alone” (FG1). This person could be the mother (FG1, FG2), the father (FG1, FG2), the Spanish grandparents (FG1, FG4) or yet another person who is not specifically named (FG1). In FG4, participants explicitly mentioned that the mother should not be the one accompanying Eva. They also noted that some children are used to flying by themselves and could be comfortable with the mere company of an airhostess (FG4). They referred to situations in which they themselves have travelled alone, where they saw other children travelling in this way or when they knew of someone who once took a plane by him- or herself (FG2, FG4). Participants think it would be good if the father (FG1, FG2) or someone else (FG4) could meet Eva upon arrival at the airport in Brussels.

4.1.4 Follow-up after return

In terms of how they would react to the abducting mother's behavior, participants discussed the option of giving her a fine (FG1; FG3), or of changing the parental agreement so that the mother could spend less time with Eva as a consequence of her actions (FG1; FG4). Other youngsters however considered the latter solution not suitable, because they thought Eva too would be negatively affected by such an outcome: “I think the mother should face the consequences of her behavior in one way or another, but she should be the only one who is hurt by this. Eva should not be affected.” (FG2). Some participants indicate the mother might have good reasons to flee away with the child (FG1; FG3), and that this should be considered when deciding on an appropriate reaction (FG3). Nevertheless, irrespective of which ‘punishment’ is chosen, participants across all focus groups agreed the mother should be discouraged from abducting Eva again in the future. For some participants, psychological support for the mother would also be welcome (FG4).

As to participants' reaction to the situation of the left-behind father, they empathized with the insecure situation the father is in, but they also recognized that both mother and father are responsible for the wellbeing and education of their daughter (see below at section 4.5.1 Responsibilities and rights). Even though Dad should get some time to emotionally deal with what has happened (FG1), his responsibility to take care of Eva should come first (FG2). Participants in FG2 also talk about psychological support for the father and how it should be made available particularly if he expressed such a need due to the traumatic experience. However, they would wait for him to voice his needs not suggest this to him. At the same time, upon Eva's return, the young people would prioritize support for Eva over support to her father.

If Eva were their classmate, participants would be careful to act in a ‘normal’ way when she returns. They would pay attention to the fact that she has been away for some time, but their reaction to the child and to Eva's situation would be one of comprehension:

X: “I would say ‘Hey, how are you’, just be positive... and not like ‘Oh my God!’...”

Y: “And teachers should also make sure not to make a huge deal out of it...”

Z: “The reaction also depends on the child, if she doesn't want anyone to know, the teacher must take this into consideration and not give further details in class.” (FG2).

Participants acknowledged that coming back from Spain is not easy and may be a big deal for Eva (FG1). They empathized with her that in the end, she does not really have a choice: "It is like choosing between father and mother, between Spain and Belgium... And that is not really a choice. Or if it is, it is a very annoying choice." (FG4). When Eva is back in Belgium, some youngsters also insist that both parents should have a decent conversation about their conflict (FG2). In FG4, they suggested Eva should not return immediately to her father's house. She might be better off spending some time with her Belgian grandparents, for example, or with someone else she trusts, so that the parents can take their time to settle things "and leave their child out of this" (FG4). As such, they hope to protect Eva from harmful influence from both her mother and her father when the conflict between them is not yet sorted (FG4). If any of the parties express a need for psychological assistance to process what happened, this should be made available to them (FG2; FG4).

4.1.5 School

The importance of going to school, not having to miss out on school or not having to redo a school year reoccurred several times across the different focus groups: "I don't get it, she doesn't go to school and her father doesn't react to that. In normal circumstances you have to go to school, don't you? I mean, school is important!" (FG1). The fact that Eva missed out on school because of her parents is something the young people found difficult to understand (FG1). On the condition that the parents could find a way to accommodate Eva in a school in Spain, they think it might in some circumstances be feasible for her to stay there (FG1; FG3; FG4). Having to go to two schools at the same time, i.e. one in Belgium and one in Spain, is not feasible for them (FG3).

4.2 Feelings and Attitudes of the Child

A variety of feelings and attitudes were associated/assigned to the child during the focus group depending on the characteristics of the conflict situation, personality traits and age of the child. During the return procedure or after the return there can be embarrassment or even shame about the family situation. For example, towards friends or classmates when going back to school. Related to this some students also expressed they would feel uncomfortable with the situation or the procedure. Significant attention towards the child may sometimes seem like the child did something wrong while this is of course was not the case. Next to this, some students had the opinion that the child could be traumatized or at least that the whole situation could have a negative impact on the child. Not everyone agreed and some students said that this would not cause trauma because she is only 11-years old: "Indeed, she is missing her iPad and her dog but I don't think she is really traumatized." (FG1; also discussed in FG3 and FG4).

Besides these negative feelings, the students also assigned some positive side-effects to the situation (see earlier in section 4.1.2).

In two focus groups (FG1; FG3) a few students mentioned that they would have a "more understanding" attitude towards the situation if there was a reasonable cause for the abduction, for example "when the Dad is not good for you" (FG1).

Students also mentioned that they could not understand this situation in any case because they trusted their parents to do the right thing and to keep in mind what's best for the child.

Furthermore, in two focus groups some youngsters mentioned that the child could be in a position where he or she would have to choose between one of both parents. During the conflict itself but also during the decision procedure: "This is also a choice between father and mother but also Spain and Belgium." (FG4).

This so-called feeling of "choosing between both parents" was perceived as being "very unpleasant" and as a responsibility of the parents not to bring their child in that position (FG4).

4.3 Voice of the Child

4.3.1 Involvement of the child during the conflict and in the decision

Exploring the potential involvement of the child in a conflict situation raised different opinions between students. The age of the child at the time of abduction was found relevant when considering such involvement.

Were the abducted child younger (compared to 11-year old Eva) they would trust their parents to do the right thing. Therefore, the opinion of some students was that a child of less than 11-years should have minimal involvement in the conflict (FG2). They also felt that it is harder, at a younger age, to completely understand the situation (FG1) or to be 'fully aware of what is happening' (FG3, FG4).

This idea of minimal involvement is also reflected in the participant's opinion, e.g. on what they would do if they were Eva. It is clear in most of the focus groups that they would rather do nothing mainly for three reasons: 1) because they trust their parents in general "whatever your parents do, they stay the persons you can trust in your life (FG2), 2) because they cannot do anything for example when they do not speak the language in another country (FG4) and 3) because they don't know what to do: "I think Eva doesn't know how things work for example when asking for help" (FG1).

This was in contrast with their current age where they feel they can make their own decisions, they are not so dependent on their parents anymore (FG1), and they feel they already have their own opinion which their parents should take into account (FG2). There was consensus in all focus groups that at this age they would take the initiative to take action when their parents draw them into an uncomfortable situation. Some of the students would even oppose their parents. However, they perceived this as being more difficult when being the only child, in comparison to having siblings where you can get together for support (FG2; FG4). One student also mentioned that "when your siblings are too young, e.g. 2-years old, it is better to keep them out of it" (FG4).

Most students agreed that the parents should talk to Eva about the conflict. Some said that they do not need to tell her every detail but should take into account what affects her directly (FG1). They recognized the difficulty for a parent to determine whether or not to involve the child in the conflict and at what moment (FG4).

Every student felt they would also try to talk about the situation whilst thinking it through. Sometimes they would even question it at their current age (but not at Eva's age).

The students unanimously supported the involvement of the child in the decision itself. They all agreed that at their current age (15-17 year) they would insist on being involved in the decision and the procedure. Opinions differed when talking about 11-year old Eva in our scenario. Not everyone felt

that Eva's opinion should be taken into account because of various factors, e.g., more vulnerable to manipulation by either parent (FG3; FG4); the younger the child, the more ignorance about the actual situation: "Spain is a fun country where Eva seems to be having a nice holiday unlike Belgium where Eva would have to go to school every day" (FG4).

4.3.2 Right to be heard during the procedure

The right of the child to be heard during the procedure was related to the involvement of the child during the conflict and in decision-making. All respondents agreed that Eva should be heard but that her opinion should not always be taken into account. There were several youngsters who believed that Eva is too young to decide on these things. It was clear to all participants that the parents have a big responsibility to listen to Eva in the first place (see section 4.5.1 Responsibilities and Rights). The students would also like to be heard by a judge or another professional next to the parents. Some felt that talking to a judge is the only way for them to guarantee that their opinion will not be disguised (FG1).

In one focus group all youngsters agreed that a judge could "not decide over such sensitive family matters without knowing the family bond" (FG2). They would find that very weird and they argued it is necessary to involve the child within the procedure.

4.3.2 Conversation management in general

Even when the parents are having a conflict among themselves they still must be able to have a decent conversation because "the relation between both parents cannot be so bad that they can't communicate anymore" (FG2) and agree on a possible solution "first the father should be consulted and also give his permission" (FG3). Then, the solution should be communicated to the child in an honest way (FG1). Both parents are (more than any other person) the ones closest to the child, so the children feel it is necessary that conversations take place in the future between both parents and the child (FG1).

4.3.3 Best interests of the child

Most of the focus groups mentioned that Eva's parents should think and act in the best interest of their daughter. The participants found it very weird in the scenario that Eva could not attend school. "A parent cannot stop a child from going to school, right?" (FG1). Also, the change of environment could cause that Eva is "not feeling comfortable anymore" (FG1) or that "her life is thrown upside down" (FG1; FG4). With regards to the best interest of the child after the abduction, some students mentioned that it would not be "a good idea to restrict the amount of time the child could see the mother as a punishment" (FG2) because this could also be harmful for the child.

4.4 Implications of the Abduction

Most students think there are definitely some (negative) consequences for the future depending on the situation of the child. The abduction can trigger feelings that include embarrassment, discomfort or trauma (see section 4.2.1). For example, the students were very worried about missing school "You

have not been to school for more than a month and you have all missed lessons that have to be picked up again" (FG1).

Both parents will have a certain influence on the child. It would be better that there is a neutral figure in place to support the child because both parents may make each other look "*bad*" (FG4). This is part of the loyalty conflict and the feeling of having to choose which was mentioned in every focus group (FG1; FG2; FG3; FG4) and also discussed in section 4.2.1.

A few students would find this situation easy to process: "What my Mom did was not good, I would not quickly forgive her, but I could go on with my life (FG3). But others think this incident would throw Eva's life upside down "It is awful that Eva's habits are disturbed in this way". The participants think that it is not right to get children involved in family or adult problems. Their reaction is that this happens a lot:

W: "I find that strange about the mother because she has had a whole week with Eva. The father only has the weekend and she is going to take that away from him as well."

X: "Probably there is something wrong between that mother and father."

W: "Yes, but she shouldn't involve the child in that..." [*others agreed*]

X: "Yes, that is really true."

Y: "But that happens a lot, doesn't it?"

Z: "Yes." (FG2).

4.5 Emotions and Reactions Assigned to Both Parents

4.5.1 Responsibilities and rights

The students attached a certain amount of importance to the concept of parenthood and attributed certain responsibilities and rights towards being a parent. Both parents were assumed to lead by example and in our scenario "the Mom gives the bad example because she also shows that it is actually possible to take your child with you [...] I think as a Mom that you want to try to set a good example" (FG4).

All students agreed that responsible parents are the first ones to find a compromise that is feasible in a practical way (FG2). In addition, others also think that "if you decide to split up as a couple, then you should be responsible enough to listen to what your child has to say" (FG4).

What the participants noted the most is that both parents should act in the best interest of the child "and what is best for his or her future" (FG1). They were also shocked that Eva did not go to school; for them this decision was definitely not in the best interest of the child (see above in section 4.3.4 Best interests of the child).

The right of a child to have contact with both parents should, for the participants, put both parents in an equal position. In the scenario, Eva was not allowed to get in touch with her Dad. All the participants believe that this is not the best practice (FG1; FG2; FG3; FG4). They agreed that "the father

has the same right to a conversation with his daughter as does the mother" (FG1). They also stated "the Mom has no right to say that you cannot see or speak to your Dad. Both are your parents, so you should be allowed to have contact with both" (FG1).

4.5.2 Abducting parent dealing with the situation

The students agreed that there is a one-sided decision from the mother's side (the abducting parent) in this scenario. The mother was not talking to the father and they did not have an agreement: "This is not her choice to make" (FG1). Next to this she was also lying to both the father and the child because she said she would only go to Spain for one week and now "She is already there for such a long time" (FG2). The students felt she was manipulating and deceiving Eva by doing all sorts of nice things so she could "forget what was actually happening" (FG1). The mother also tried to claim the child. According to some students the Mom thinks she has more rights on claiming the child than the father and because of this she "wants the child to take distance from her father" (FG4). A risk some of the students imagined is that the mother will abduct her child again in the future and "do this over and over again" (FG2).

4.5.3 Left-behind parent dealing with the situation

When the students imagined themselves in the role of the left-behind parent they would, as a first step, try to get in touch with the mother and the child. The students expected the left-behind parents to be in touch with their child, even if the child is on a holiday for a short time (FG1) or at least have "some information about where they are so I know if my child is okay" (FG3). Next to this, trying to have a conversation with the abducting parent was also of high importance for all the students (FG1; FG2; FG3; FG4). If the left-behind parent could have a conversation with his/her child the students do not agree on whether the parent should conceal his/her concerns, "I would find it stupid if the father would conceal that he is worried because then I would just stay there" (FG4).

After trying to have a conversation the students thought the next step is to take action. A majority of the students felt that if they were the left-behind parent they "would go to Spain and get Eva" (FG1; FG2; FG3; FG4). Others would not abduct their child again but would try "to get in touch" (FG4). Some also felt it better to "contact the police in the first place before taking any actions yourself, I would make sure I am not doing anything illegal" (FG2). The students acknowledged that this is very difficult, because getting the police involved can also be "shocking for the child" (FG2). Another option they saw for the left-behind parent was to start a criminal law suit (FG1; FG4) where the parent could rely on the fact that he/she has the right "to see his/her child at a certain arranged moment, for example the weekend" (FG4).

4.6 Role of Different Professionals or Support Figures

The participants regularly referred to different professionals or support figures that could play a role in Eva's experience before, during and after abduction. Such professionals could have a predominantly legal function (e.g. judge, lawyer, mediator, police, the justice system in general), they could be psychologists or other professionals in charge of care (such as welfare officers or social workers), school staff, steward(esse)s from the airline company or hobby-club trainers. Persons offering non-

professional support could be family members and relatives (e.g. grandparents, aunts and uncles or others), friends, classmates or parents of peers. Some participants have referred to “outsiders” in general terms, i.e. someone who has nothing to do with the conflict between the parents but who is not necessarily a professional, as well as to “figures of trust” (in Dutch *vertrouwenspersonen*) without specifying their function.

4.6.1 Judges

Young people have varying views on how they see the role of the judge in relation to children of Eva’s age and their own age. They were convinced judges have an important role to play in terms of exercising a certain degree of authority towards the parents. “If a judge says ‘you can see your child this week and you can see your child the other week’ it is not only a decision between the parents, but also a decision imposed from an upper hand” (FG1); “If I were the judge, I would insist that the parents talk to each other.” (FG4; also mentioned in FG3). It was logical to most of them that in this scenario, with the little information they had, the judge decides to return Eva to Belgium (all FGs). One girl disagreed, however. In her view, the judge knows too little about the family situation to make such an impactful decision (FG2).

When asked whether they think Eva, at age 11, should talk to the judge, most participants answered in the negative. The experience might be “too harsh” (FG1), “too formal” (FG1), “too impressive” (FG2) or “too heavy if you are that young” (FG2). Another one added that she thought “it wouldn’t be good for the child, mentally speaking” (FG2) and someone else worried that in general, “a lawsuit may be bad for the child, knowing that your parents have such a big conflict...” (FG1). Participants were also concerned that Eva, at age 11, would be too young to understand what is going on (FG1). In this sense, they think “it is better to talk to a psychologist who can then talk to the judge on her behalf” (FG1), or that a conversation “with a psychologist would be friendlier.” (FG1).

Not everyone agreed. For some, talking directly to the judge would prevent words from being rephrased and the judge from hearing a “second-hand story” that was not exactly what had been said (FG1). Talking directly to Eva would also help the judge to get a better view of the family situation and the most appropriate decision (FG2; FG3). At the same time, it was important for participants that Eva has a voice in the procedure (FG3; FG4; see also above at 4.3 ‘Voice of the Child’). One boy added: “I’m not sure how I was at age 11, but the judge should take into account the capacity of this child to adequately estimate what is happening” (FG4). For someone else, a shared conversation between a judge, a psychologist and the child (and perhaps also one of the parents) would be an option as well (FG1).

When asked if they themselves, at age 15-16, would want to talk to a judge in this situation, the participants were more positive. The main difference, according to them, is age and understanding, which is in their view quite different at 11 compared to 16 (FG1). “At this age we are more outspoken and say what we think more easily. We know what we want.” (FG1); “I would just have a normal conversation with the judge” (FG3); “I would speak to the judge, and be like ‘Well Mister Judge, I think the situation cannot go on like this. I have my rights too!’” (FG4). Again, preferences differ, as some participants pointed out they would still prefer to talk to a psychologist instead of a judge at their current age (FG2).

In addition, for some, distinguishing between different age categories is arbitrary: "I mean, that is difficult right, when do you listen and when not?" One participant mentioned: "I don't know for now if I want to talk to a judge. I wouldn't know how the procedure works and I think, if I knew more, I might want someone else. Like a lawyer, if this person makes you feel more comfortable. I mean, it depends..." (FG1). This was the only time that lawyers were mentioned throughout all focus groups.

4.6.2 Psychologists

In general, the participants showed more trust in a (child) psychologist than in a judge when it came to Eva's involvement in the procedure: "You can have a good chat with a psychologist. I think that is better for a girl of her age." (FG1)." "I suppose a psychologist knows what he or she is doing and will ask the right questions." (FG2). The distance between a child and a psychologist was considered to be smaller than the distance between a child and a judge (FG1). Some participants also had their doubts: "I can imagine a child psychologist would... well not really twist your words but put them in some kind of milder format... Because, if she talks to a child psychologist, this person will not really ask deep questions, maybe some kind of 'in-between questions' and try to get out of your story what you want, but if you speak to a judge directly you can really say what you want and I think that will look better" (FG1). Others specified they would not want to talk to a psychologist about the situation at home, but rather about the situation they got into when in Spain (FG4).

As to psychological assistance after return, for most of the young people it seemed helpful that Eva could access such support. Others thought the experience in Spain should not be exaggerated and that the experience did not necessarily amount to trauma (one participant in FG1; one participant in FG3): "It is also just a child, we shouldn't make it too complicated." (FG1). Most participants across the different focus groups agreed that it depends on the child, her ability to cope with the situation and whether psychological assistance would be necessary. The same was said about the parents, both the father (FG2) and the mother (FG2; FG4) may need further support in dealing with the post-abduction situation.

At the same time, going to a psychologist was considered a burden by some: "Above all, I think, if you send the child to a psychologist over and over again, she won't feel quite normal anymore. I actually think it would be best for the child to treat everything as normal and let the two of you fight out your problems [i.e. the parents]" (FG4). In cases of escalating conflict like in Eva's situation, they would suggest the involvement of an external person to talk to the parents (FG1; FG4) and if necessary, calm them down (FG3). The participants agreed when the researchers asked whether professional mediators could take up this role.

4.6.3 Police

Participants' opinions vary as to the involvement of the police. Whereas some of the young people trusted the police to adequately deal with the situation (FG2; FG3), most of them were cautious about contacting such authority. The reasons for this were: either they considered a police intervention to be too intrusive for the child (FG1; FG2; FG4); they didn't think it would make sense because the police would not believe an 11-year old child anyway (FG3); they did not know what the police could actually do in a situation like this (FG4), or they found it confusing for Eva because she might think she did something wrong when joined by the police (FG1). Others thought the police could play a role in

specific situations, e.g. in localizing the child or in discouraging the mother from abducting Eva again (FG1; FG2): "I think a police escort is not necessary, but the police should know about the situation [...] to make sure the mother does not flee with the child again." (FG2).

4.6.4 Other professionals

Participants thought school staff would immediately notice when Eva does not return after the break and are in the right position to flag long-term absences to the authorities (FG1; FG2; FG4). In particular, the school could play a more convincing role towards the parents than friends could (FG1). If you only have one teacher, like Eva in primary school,⁷ this teacher could be more involved than high school teachers who the participants only see for a couple of hours a week (FG4). In FG2, participants highlight that you may always have a better bond with one teacher or the other, and this specific teacher could play an essential role in re-accommodating Eva after what has happened. When Eva returns to school, it is the responsibility of school staff to make her feel at ease, give her some extra attention if she needs it and make sure she is well taken care of (FG2). In FG3, participants showed little trust in their teachers to speak to them about personal issues.

People from regularly attended sport or hobby clubs, like Eva's dance school, would probably also find out after some time that something is not quite right (FG4). Participants in FG4 pointed out their hockey or athletics club would immediately take action if they did not turn up, e.g. by contacting their parents.

4.6.5 Non-professional support

In 'normal' circumstances, where they would not speak of an abduction, participants would trust their parents to talk about things that bother them (FG1; FG4). Participants pointed out that if they were Eva at age 11 or younger, they would have more trust in their mother and would also talk to her even if what she did was not right (FG4). Most participants, however, would in Eva's case rather confide in their Spanish grandparents (FG1; FG3; FG4). Grandparents in particular could talk to the mother and try to make her change her mind (FG2; FG3), even though they also saw a risk that the grandparents would too easily choose the mother's side against the father's (FG2). Also, other family members, like aunts or uncles, were mentioned (FG1, FG2), depending on how well a bond was developed with them and how well they succeeded in not choosing the side of their own brother (Eva's father) or sister (her mother) (FG1).

In addition, friends, classmates and their parents are pointed out as possible support figures who could act on behalf of Eva (FG3; FG4). The latter were particularly mentioned in the event that concrete action was necessary, such as talking to Eva's left-behind father or to the Belgian authorities. If you merely needed emotional support, friends may be sufficient (FG2), even though in FG1 participants doubted whether at age 11, this is really the case among friends.

⁷ In Belgium, young people are still in primary school at age 11.

4.7 Attitude of Different Professionals or Support Figures

Participants in all focus groups raised concerns about the style and attitude of professionals and support figures that Eva would get in touch with. They indicated in various ways how they would like the adults involved in a child abduction procedure to behave - or not. In particular, the issues of communication, specific values or qualities and information were raised.

4.7.1 Communication

Communication was a central theme in all focus groups. For some participants, it was important to recognize that in the given circumstances, communication is not evident and may be difficult: "It depends on what you are used to: if you have never learned to openly speak to one another about difficult topics, I do not think it is a natural or innate thing to do." (FG4). Communication may also be more difficult if you do not master the other language quite as well (FG4). In addition, the sensitive context in which such scenarios take place may lead to challenging communication, for example when Eva calls her father who tries not to sound too worried:

X: "Yes, on the one hand that child is going to feel so guilty and may become even more worried, but now her Dad may give her the feeling that it doesn't matter now that she is gone..."

Y: "Yes, but if that child gets worried, I don't think that's the best thing to do. I think that as a Dad, it is very ambiguous what to do here and how to say it right." (FG1)

Despite the difficult circumstances of the case, participants found it important that parents openly discuss with their children such matters that have a big impact on the child. After getting to know the mother's plans to travel to Spain instead of visiting Dad, participants indicated that the child should have a chance to agree or disagree with such a decision: "The child has no say at all in this. That's really bad. Even if she is only 11, she should be able to talk to her parents about this." (FG2). Other participants indicated they found the mother's behavior to be "antisocial", because "she doesn't ask the child if she wants to travel. I would ask my child." (FG2; also discussed in FG1). Others phrased this even more strongly: "I think good parents take their child's opinion into account" (FG3). A boy adds to this that even if the mother, upon leaving, does not manage to tell her daughter what her plans are, she should explain everything at a later stage, because "it is important that Eva can understand what has happened" (FG3). The child should have a chance to "tell her parents what she prefers" as to how to organize the return (FG2). When it came to Eva's involvement in the conflict between the parents, however, participants would rather leave her out of this and "leave the parents to sort this out between the two of them" (FG4). Nevertheless, others indicated that in some circumstances, a conversation between Eva and her parents could also help: "In one way or another, there should be some kind of conversation that Eva and both her parents attend" (FG1).

The need for open and clear communication between the parents, irrespective of whether they get along, is also mentioned several times. In all focus groups, participants see dialogue between the parents not only as a crucial factor of children's wellbeing in their family, but also as a problem-solving strategy in conflict situations. When analyzing what happened to Eva, for example, participants in FG4 wondered "why the parents don't sit around the table to talk things through. Behavior like this just makes things worse." In trying to find out Eva's whereabouts, communication between parents should come before legal intervention: "I would contact the mother first. Try to reach her at least... She would

probably not pick up, but I would still try. Instead of calling the police immediately and stuff... Try to talk first" (FG2; also discussed in FG4). In finding an agreement after divorce, the word "compromise" is key to participants in FG2. They added that "the child should also agree" to the compromise the parents decide upon (FG1; FG2). One participant added that before other actors like the school intervene, "parents should finish business between them first, and only after that you would take further steps." (FG1). If parents cannot figure things out between themselves, a mediator could be of help "so that the conversation could be somewhat controlled" (FG4), as well as "to ensure the parents would listen to each other. Calm them down a bit. Make sure nothing happens." (FG3).

Finally, participants agreed that not only parents, but also professionals should show an interest in children's perspective and talk to them. This topic is discussed more elaborately above at 4.3 'Voice of the Child'.

4.7.2 Specific values or qualities

The importance of specific values (such as transparency, honesty, involvement and child-friendliness) or qualities (such as the ability to make a child feel at ease and taken seriously) associated with attitudes of professionals and support figures was evident from all focus groups.

Transparency and honesty are mentioned in relation to communication between the parents on the one hand, and between the parents and the child on the other hand. Participants would want the mother to be clear and open about her motives for taking the child without letting anyone know (FG1; FG4). Others nuanced that even though it is probably best for the mother to be honest, "you run the risk that the father would get angry, or would say things you both don't want... You also have to be careful..." (FG3).

Young people are afraid that legal professionals, and judges and policemen in particular, would not take them seriously. They were afraid they could not fully express themselves because they would not feel at ease in the presence of a professional, they perceive as intimidating. None of these young people have had the experience of talking to judges in their own lives. They only have their imagination to rely upon and as such, may have preconceptions that do not fully match reality. As this conversation in FG2 illustrates, however, thinking about Eva having a conversation with a judge makes them feel insecure:

X: "I'm afraid the judge is not used to talking to a young child, that is intimidating... These people are so big... and then you can't just say everything you think"

Y: "I think when you talk to a judge, you have to look like a grown-up."

X: "Yes, they look down on you a little."

Group agrees.

Y: "And when you say something that is a bit childish, they probably think 'Oh well, this is a child, she doesn't know anyway'."

Z: "Her opinion doesn't matter."

Sometimes, personal experience leads young people to have more or less trust in professionals, also when relating to Eva. As one boy puts it, "For me, a psychologist would not be the right person to talk

to. I have seen too many psychiatrists by now." (FG3). Participants pointed out that the kind of support children need, may differ depending on their situation as well as on their personality:

X: "Some people don't like to expose themselves to strangers. It may be difficult to talk about things."

Y: "You could also write it down... or just talk to yourself about what you're going through."

X: "It depends on who you are, if you easily open up or not" (FG2).

In general, however, participants also agreed that certain qualities made it easier to talk to an adult - irrespective of whether this person is a stranger or known to them. For some participants it doesn't matter much whom they talk to, "as long as you can feel at ease... feel equal to them" (FG2). Other terms they use to describe how they would want the situation to be before they can talk about their feelings or things that bother them, are "safe", "comfortable", "trust" and "being taken seriously" (FG2; FG3). Participants mentioned they could talk to family members like an aunt (FG2) with whom this type of condition would be fulfilled. Also, in FG3, a boy indicated he would "rather talk to a relative, instead of a complete stranger." (FG3). For others, the opposite is true, they saw an added value in talking to an outsider because they would prefer the person to be "neutral" (FG3), "objective" (FG2) or "not influencing the child in a subjective way" (FG2), i.e. not choosing sides in the conflict or making Eva choose sides between her parents. Talking to the mother was not seen as an ideal solution (FG2), whereas talking to the father appeared to be feasible for some (FG3).

Professionals should adopt an adequate communication style when talking to children. The point of asking "the right type of questions" was raised (FG2), where the example was given that questions should be asked openly and the person asking the questions should "not put the answers into [Eva's] mouth" (FG2). Also, judges and other decision-makers should take their time to make the right decision and should take into account whether the consequences of their decision are practically feasible: "Well, this is not such a minor decision. It has a great impact. It is not the type of decision that doesn't mean anything, right?" (FG1). Language is an issue as well: "It wouldn't make much sense to talk to a psychologist in Spain if this person doesn't speak Dutch." (FG4). Participants mentioned specifically that teachers should be careful about how they phrase Eva's story to her peers. They should choose words that are not too overwhelming, preferably positive and take into account the views and wishes of the child (FG2).

The term child-friendliness was used in FG1 to refer to interventions by the police. As one boy states, "I think as such it is ok that the police would get involved, but they should do so in a child-friendly way." (FG1). Another participant further explained that if the police intervenes, they should make sure to be friendly, subtle and give her enough information, i.e. "not just enter and go away again, you can't do that" (FG1). Another one adds to this: "Yes, in my opinion the police are really a last resort, only if no-one else can take care of the return and join Eva. Then they have to behave in a child-friendly way and give her enough information about what is happening - you go back to Belgium now, say goodbye to your mother - and they should be calm, because yeah, she's only a child..." (FG1).

To one participant, taking the child seriously meant to show involvement and interest when Eva returned home. She hoped there would be someone who gets in touch with Eva after some time:

"Afterwards, when she is at home, someone should check with Eva like 'How are you now?' and stuff..." (FG4).

4.7.3 Information

In FG1, FG3 and FG4, participants are concerned that Eva is not well informed about the situation she is in, does not know what will happen to her and has no idea what to expect from a legal procedure. They agreed that it was important for Eva to get information, and that everything "should be explained to her in a child-friendly manner" (FG1). They were concerned that if a similar situation were to happen to them, they would not have enough information either (FG1). For one boy, this lack of information stops him from estimating what he should do if he were abducted, and if, for example - he would want to talk to a judge: "I wouldn't know how the procedure works and I think, if I would know more, I might want something else." (FG1). One boy stated he might not necessarily need psychological help, but what would be good for him is "someone who gives me more information and really thoroughly investigates the situation." (FG4). The issue of information or the lack thereof was not discussed in FG2.

5. Conclusions and Recommendations

Both the Ewell and the Voice projects have formulated recommendations to professionals and non-professional stakeholders in child abduction proceedings as to the way in which children and young people prefer to be supported during such family conflicts and legal proceedings. The current research with 24 youngsters from Flanders reaffirms, further specifies and/or nuances many of these conclusions. In addition, new recommendations can be formulated on the basis of their input.⁸ Below, we formulate a number of conclusions with regards to parents as important figures in the life of children and young people in (5.1), conclusions and recommendations about involving children and young people in abduction proceedings in (5.2), conclusions and recommendations to professionals and people providing support in (5.3) as well as a few general recommendations about doing research with children in (5.4).

5.1 Parents as Important Figures In The Life Of Children and Young People

Parents play an obvious and important role in the life of the youngsters. This resulted in the participants attributing several responsibilities or roles to their parents.

The youngsters felt that it is their parent's duty to resolve the conflict and to agree together on a solution. Both parents are responsible for this and are expected to act in the best interest of the child and his/her future. They trusted their parents in this. Nevertheless, the respondents did not want to be directly involved in the conflict when decisions that will have an impact on their lives are being made, but only when they are of a certain age or have a certain maturity. These findings are giving a new insight to the subject as in previous research the importance of mediation techniques was stressed.

They rely on their parents as the most important persons of trust (confidant⁹) no matter what happens or what they do. So even after an abduction the respondents thought both parents are important in the child's life, which cannot be changed. This should be taken into account when making decisions in the best interest of the child.

The children realized that when they were very young (like Eva in the scenario) they couldn't take much initiative or do things themselves, especially when in another country, with a language they could not speak, and without a mobile phone etc. In such cases, the parents are the only ones who can really stand up for them.

Several emotional reactions towards a situation of child abduction were identified in the focus groups like embarrassment, discomfort or the possibility of trauma. Next to those feelings, to choose between two parents was perceived as exceptionally distressing. In their view, it is the responsibility of the parents not to bring a child into such a loyalty conflict. This finding complements conclusions from Ewell and Voice that professionals (or adults generally) should not bring a child into situations where they should choose between two parents.

⁸ The light text refers to conclusions and recommendations from the EWELL and VOICE projects, available online at <http://crossbordermediator.eu/researchreport/categoryid/2>.

⁹ nederlands: vertrouwenspersonen.

In the view of the participants, parents also bear a key responsibility to inform the child and communicate with him or her in an honest and transparent way, to avoid such negative feelings as described above.

It is important for participants that an abduction does not jeopardise a child's right to stay in touch with both parents and that ways should be sought to ensure this is practically feasible. Again, youngsters found parents themselves playing a major role in achieving this. However, they also recognised that contact between family members is not only a right of a child, but of the parents as well. Rights and responsibilities are interlinked, in their view.

5.2 Involving children and young people in abduction proceedings

The youngsters did not unanimously agree that children should be involved in the return proceedings. Age factor was especially important to them: a child their own age (15-17) should definitely be involved, whereas a younger child like Eva (11) could experience difficulties when given such responsibility. Other factors like maturity and context or situation were important to take into account when deciding whether to involve children and young people in abduction proceedings.

It is important to provide enough information on the legal procedure in order to reduce stress and insecurity regarding legal professionals. Children want and need information about what is happening to them and what their options are. This information is often lacking, both on the level of the family context as on the level of professional or non-professional support. This also relates to one of the findings in the Ewell report where it was stated that children and young people should receive adequate support to prepare them for a hearing.

The young people understood the complexities of the concept 'the best interest of the child'. They expressed that there are a lot of factors that need to be taken into account and that these all should be evaluated case by case. Sometimes there are certain circumstances where they could understand that a mother would abduct her child, for example when the father is aggressive. This is still not allowed, but they believed that in such cases the mother is acting in the best interest of the child.

5.3 Professionals and people providing support

Professionals or relatives should encourage parents to reach an amicable solution in the best interests of the child (EWELL; VOICE) to avoid unnecessary trauma or burden on the child as a result of a legal proceeding. Professionals should become involved only if parents, between themselves, do not manage to solve the conflicts that deeply affect their child or children. If necessary, a mediator could facilitate this process. But as explained in section 5.1 the young people expect their parents to solve conflicts on their own in the first place.

Ideally, children can choose what type of support would suit them best and should have a voice in deciding what such support should look like. They may have different wishes or needs depending on factors such as their age, their level of maturity, how much they know about the proceedings they face and how strong their relationship with their family is.

If young people get the impression that an adult is not fully interested, does not take them seriously or would not believe them, they do not feel they are being called upon to speak openly about matters affecting them deeply. Especially for younger children, police officers and judges are generally seen as more distant and less trustworthy in comparison to psychologists or school staff.

Even though individual needs between children may differ significantly, qualities such as trust, safety, child-friendliness, transparency and honesty are important elements of a communication style that young people tend to appreciate.

Special training should be made widely available and accessible to all professionals with a responsibility to support children throughout a family conflict and/or legal proceedings. These persons offering professional and non-professional support should for example be aware of how important a bond with siblings is to children and young people. Separating brothers and sisters should always be avoided.

5.4 Doing research with children and young people

Children and young people are experts of their own world and experiences, irrespective of their educational background. They have creative and innovative ideas about how to solve problems other children could get confronted with. Not only do young people show great enthusiasm when asked to share their views, children also have a right to participate in matters affecting them. This right applies in terms of research, evidence and knowledge-building as well.

In all stages of the research process, children's right to have a voice in matters affecting them should be a guiding principle. At the same time, this right to 'participate' should be balanced with 'provision rights' (such as being given adequate information) and 'protection rights' (such as protection of their privacy).

Presentation of this research at the 'Hear Me Out' conference in Ghent (30-31 May 2019) has proven that it is reassuring for children who have gone through an abduction to experience that other children, who have no such experience, understand them and show empathy.

Compared to traditional research on children, a study with children and young people gives rise to a significant range of complexities and ethical issues. Whereas ethical codes first and foremost aim to protect research subjects (in this case children and young people) from malicious research practices, they also tend to reinforce an image of childhood that is predominantly vulnerable, often at the expense of seeing children as competent, capable and autonomous rights-holders with meaningful views of their own.¹⁰ The experience from this research project invites us to critically assess not only the frameworks of our (traditional) research practice, but also the way we look at children and young people more generally; and start, in the same way as professionals and people offering support, to take them seriously in their own right.

¹⁰ Pleysier, S., Herbots, K., Kennan, D. and Lloyd, K. (2019), Ethical issues in research with children and young people, available online at <https://participationforprotection.wordpress.com/2019/03/28/ethical-issues-in-research-with-children-and-young-people/>.

6. Appendix

Appendix 1: Scenario of the Focus Group

The scenario was read out to the participants in Dutch. This is an English translation of the text.

Introduction and informed consent

- A brief presentation of who we are and in what context this research takes place.
- Explaining anonymity, value of their contributions, importance of respecting one another.
- Signing of the informed consent by the participants.
- Asking permission to record the session using a voice recorder.

Getting to know each other

We play a game to break the ice and make the pupils feel at ease.

Each student chooses a card from the game Dixit that has a link to "family" for them and explains why they chose that particular card. Using the card, pupils are invited to use their imagination, open their mind and share a brief personal note about themselves. At the same time, it allows the researchers to get an informal insight into how the pupils feel about their family situation.

Examples of cards:



Part 1 of the story

This is Eva. She just turned 11, is in her final year of primary school and likes to go to dance class. She is the only child at home, her Dad is Flemish, her Mom is of Spanish descent and still has a lot of family living in Spain. Eva's parents have been divorced for five years. Eva is with her mother during the week

and with her Dad during the weekend. She has a good relationship with both parents but sees her Mom more often. After the dance class on Friday evening (the day before the spring holidays), Eva's mother came to pick her up. She had a suitcase packed for her. Eva was a bit confused at the beginning because her Dad always comes to fetch her on Friday night. Mum explained that it was a surprise. The two of them would go on holidays to Spain for a week! There was no time left to pass by Dad's place to say goodbye. Eva therefore asked to call Dad, but Mom did not like this. Eva's Mum was very stressed. Eva tried to make a secret phone call to her Dad but didn't succeed. Eventually she trusts her mother and looks forward to seeing her grandparents from Spain again.

Possible questions:

How would this situation feel for you?

What would you do?

Part 2 of the story

Eva and her Mom are now in Spain. They have had a nice week, but Eva still hasn't heard anything from Dad. It is Sunday and the spring holidays are over. Eva has to go back to school the next day but Mom would rather stay another week. Eva doesn't like it that much because she wants to go to school and hasn't seen Dad for two weekends. Mum doesn't want to hear anything about it. Eva is confused. Finally, she manages to call Dad while Mum is having a bath. Dad tells her that all this time he didn't know they were in Spain. He doesn't agree at all that Eva won't come to school tomorrow but hopes that Eva won't notice his anxiety.

Meanwhile, a month has passed. Eva misses her dog and her iPad. Her friends tell her that there was a nice trip to the Efteling and Eva is very sorry that she was not there even though the food in Spain is very good and she enjoys the daily walks on the beach with her nephews and nieces.

Possible questions:

How would this situation feel for you?

What would you do?

Who could help you?

Does everyone agree?

Imagine you are one of Eva's parents, what would you do in this situation?

Imagine you are one of Eva's friends, what would you do to help your friend?

Part 3 of the story

Eva's father has looked up information and found out that it is not legal to take a child abroad without the consent of the other parent. He decides to go to court. A six-weeks procedure follows. Eva is also allowed to talk to a psychologist who wants to know what she thinks. The judge decides that Eva must return to Belgium as soon as possible.

Possible questions:

How should the return be organized?

What are the circumstances the judge must take into account?

To which aspects should the judge pay attention upon returning the child? (at the level of the family/environment/country)?

Which support figures are needed? Which person do you want to contact? What can that person do?

What information do you need?

Do you want to have a voice in the final decision?

Closing

If participants have further questions, they can consult the following organizations (this information is also included on a flyer):

www.awel.be

www.kinderrechtenschool.be

www.tzitemzo.be

www.childfocus.be/nl

Variables that the moderator can respond to when asking supplementary questions (e.g. What if...):

- whether or not the child has siblings
- whether or not the child has an understanding of the other language (and e.g. problems at school)
- whether or not the child has family or friends in the new country
- whether or not the child (also) has positive experiences in the new country
- positive/negative feeling about departure from country A
- positive/negative feeling about departure from country B
- much/little difference between country A and B (e.g. other continent)
- whether or not the child has contact with the other parent for abduction (e.g. divorce, loyalty, conflict, alienation)
- whether or not the child has contact with the other parent after abduction
- whether or not the child experienced a police intervention (e.g. arrest of abducting parent)
- whether or not the child was correctly informed about the trip (e.g. trip looks like a holiday, but then child suddenly has to go to another school; parent gives child the choice but tries to convince child that it is fun)
- whether or not the child received an explanation from the abducting parent about what is happening and how long they stay; parents who lie about the fact that the other parent gave permission or is aware of it; communication with the children

- whether the child is very young at the time of the abduction (e.g. 4 y) / somewhat older (e.g. 12 years)
- whether or not the child experiences guilt towards other parents, other family members
- whether or not the child received professional assistance upon arrival in country B (e.g. teacher, psychologist, confidential adviser)
- whether or not the child wants to return
- whether or not the child could count on professional assistance before, during and after return

These variables are based on qualitative interviews conducted during the EWELL research with 17 children who personally experienced abduction during childhood from Belgium, France and the Netherlands.

For more information, please consult the EWELL Research Report here:

Summary: http://www.childfocus.be/sites/default/files/brochures_parentalabduction_0.pdf

Full report: http://missingchildreneurope.eu/Portals/1/Docs/Compiled_research_report_final.pdf

Appendix 2: Code tree

General Findings

- Family
 - Importance of family
 - Support from the family
 - Divorce
 - Being alone
 - Need to spend time alone
 - Being alone without wanting to be
- Dynamics
 - Togetherness
 - Feeling at home
 - Trust
 - Freedom
 - Worries / carefree
 - Difficult moments
 - Competition
- Communication
 - Difficult
- Dealing with an abduction
 - Approach / strategy
 - Assessment
 - Recognize (or not) the situation
 - Understand (or not) the situation
 - Positive aspects
 - Crime
 - Punish the abducting parent
 - Difficult
 - Duration
 - Reaction

- Towards the abducting parent
- Towards the left-behind parent
- Towards the child
- Importance of school

Emotions and reactions of the child

- Feelings
 - Shame or embarrassment
 - Feeling uncomfortable
 - Trauma
 - Having to choose
 - Not understanding
- Involvement
 - In the decision
 - In the conflict
- What the child can do
 - Take initiative
 - Oppose
 - Assert oneself (voor zichzelf opkomen)
 - Talk about the situation
 - Think the situation through
 - Question the situation
 - Do nothing
 - Because you trust adults
 - Because you cannot do anything
 - Because you don't know what to do
- Variations
 - Age
 - 11-years old (like Eva)
 - 16-years old (like they are themselves)
 - Younger child
- Country

- Nearby country where they speak the same language (the Netherlands)
- Faraway country (another continent)
- Siblings
 - Only child
 - Older siblings
 - Younger siblings

Voice of the child

- Right to be heard during the procedure
- Professionals or family members speaking with children and how they should do that
 - Conversation management in general
 - Showing interest in the opinion of the child
- Best interests of the child

Implications of the abduction for the child

- Feeling of having to choose
- Getting involved in family/adult problems
- (Negative) consequences for the future
- Influence, manipulation, loyalty conflict
- Life thrown upside down
- Feelings
- Importance of staying in touch with both parents

Emotions and reactions of both parents

- Parenthood
 - Responsibilities of parents
 - Rights of parents
 - Contact with both parents
- Feelings
- Abducting parent dealing with the situation
 - One-sided decision
 - Lying / manipulation
 - Abduct again

- Make mistakes
- Do not react
- Left-behind parent dealing with the situation
 - Police
 - Criminal justice system
 - Get in touch
 - Seek help
 - Conceal (verzwijgen)
 - Take initiative
 - Difficult
 - Abduct again

Role of different professionals and support figures

- Judge
- Psychologist
- School staff
- Family members
 - Grandparents
 - Aunts or uncles
 - Other family members
- Other actors
 - Assistance in general (*hulpverlening*)
 - Outsider in general (*buitenstaander*)
 - Figure of trust (*vertrouwenspersoon*)
 - Police
 - Justice system
 - Friends / classmates
 - Hobby club
 - Stewardess

Attitude of different professionals and support figures

- Communication

- Communication in general
- Importance of dialogue
 - With the child
 - Between the parents
 - Mediation
- Communication styles
- Communication skills
- Follow-up
 - Follow-up in general
 - Someone who can challenge or question the abducting parent (*de moeder in vraag stellen*)
 - Taking various factors into account
 - Practical feasibility
- Information
 - Information in general
 - Someone who gives more information
 - Someone who researches / investigates the situation
- Values
 - Transparency
 - Child-friendliness
 - Involvement (*betrokkenheid*)
 - Objectivity