

PROFESSIONAL EXPERIENCES OF ON-CALL SPECIALISTS IN THE FIELD OF VIOLATIONS OF CHILDREN'S RIGHTS

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Abstract

The article analyses the content of the activity of child rights protection on-call specialists, their experiences related to the representation of the child and his/her interests. In Lithuania, this position is new and it emerged after the reform of the child rights protection system, which was caused by the increase in cases of violence against children, which resulted in their death several times. The activity of on-call specialists is focused on making quick decisions in response to reports of violations of children's rights in the family and society.

Qualitative research revealed the experience of on-call specialists in relation to the assessments of violations of children's rights in daily activities and the reactions of parents/ guardians to the assistance provided by on-call specialists.

***Keywords:** on-call specialists, professional experiences, violations of children's rights.*

Introduction

Over the last few decades, attitudes towards the child and his/her position in society have fundamentally changed. In 1995 Lithuania ratified the United Nations Convention on the Rights of the Child (hereinafter – the Convention) (1989), approved the Law on the Fundamentals of the Protection of the Rights of the Child (1996), (current consolidated version: 1 January, 2020). New legal acts have also appeared: laws, resolutions, orders ensuring the protection of the child and protecting his/her interests. The main aim of the legal acts is to enable the child to enjoy all the rights enshrined in the Convention, which relate to the full growth and development of the child, not only in physical terms, but also in social, cultural, moral and spiritual terms. It was the declared international and national legal acts and the aims of their implementation that were the first steps that changed the attitude of society towards the child as an independent, free personality and the child's relationships and position in the family.

Unfortunately, the family environment is not always favourable to the child's harmonious growth and development, and parents are not always able to ensure his/her safety and interests. Scientists (Dudaitė & Kairienė, 2017; Kairienė & Žiemiene, 2007; Tamošiūnas & Želvytė,

2010; Vornanen, Polkki, Pohjampalo, & Miettien, 2011, etc.) when researching the issues of children's rights, notices that the child is not safe enough namely in the family and this influences the occurrence of painful consequences (deaths of children, their serious injuries, abuse). Data from the Department of Informatics and Communications confirm the insights of researchers by providing figures and facts that it is in the immediate environment that children are most often exposed to various forms of violence (physical, psychological, neglect, etc.). The fact that in 2017 as many as 6 children died as a result of domestic violence (retrieved from: [https://socmin.lrv.lt/uploads/socmin/documents/files/2018%2012%2005%20SADM%20smurto%20statistika_lentele_06\(1\).pdf](https://socmin.lrv.lt/uploads/socmin/documents/files/2018%2012%2005%20SADM%20smurto%20statistika_lentele_06(1).pdf)), caused concern not only for children's rights specialists, law enforcement agencies, but also for the public.

In connection with the listed and other, no less painful, events of recent years, the reform of the child rights protection system was launched in 2017. One of the most important changes in the reform, which is common in many foreign countries, is the emergence of the position of on-call specialists working at night, on weekends and on public holidays in the Child Rights Protection Divisions, which ensures more effective protection of children's rights and defence of their interests.

Foreign and Lithuanian scientists (Higgins, 2015; Hyslop, 2009; Hope & Wyk, 2018; Young, McKenzie, Omre, Schjelderup, & Walker, 2014; Webster-Stratton, 2002; Kabašinskaitė, 2006; Žiobienė, 2017; Tamutienė, 2018, etc.) in their works namely note that despite global efforts to improve the situation of children and reduce the danger to children at risk, there is still a significant gap between theoretical child protection models and the provision of professional qualified assistance to children in dangerous situations. Therefore, the position of an on-call specialist that has emerged in Lithuania is a timely and relevant solution to the problems related to violations of children's rights.

However, in today's society, there is still insufficient knowledge about the direct operational assistance of child protection, including the professional activities of on-call specialists and the functions they perform. Taking into account the fact that in Lithuania these specialists started their activity in the child rights protection system only from 1 July, 2018, there is practically no research analysing and evaluating their activities, functions, and experiences. This presupposed the **scientific problem** of the research – how the analysis of the experiences of the activity of child rights protection on-call specialists can help to solve the situation of children in the field of violations of their rights.

The object of the research: professional experiences child rights protection on-call specialists from Šiauliai and Panevėžys counties.

The aim of the research: to analyse the experiences of on-call specialists in the field of violations of children's rights.

The methodology of the research: the research is based on the *ideas of humanism* that consider a human being as the greatest and fundamental value. From the perspective of humanism, a human being is not an instrument of various reforms, but their goal, because he/she, as a subject of activity, is characterized by an understanding of the essence and meaning of the actual processes taking place in society (Morkūnienė, 1995). The activity of the system of child rights protection is of a social nature, therefore it is changing, open, as it is conditioned by various social and cultural factors. The idea of the openness of this system makes it possible to appeal to a provision that is especially important for our research, i.e., influence practical activity (Morkūnienė, 1995, p. 93). The approach of humanism, which appeals to the individual's relationship with his/her activity, allows to understand his/her practical activity as socially engaged.

With regard to the aim of the research, a **qualitative research strategy** was chosen. Qualitative research, being of an interpretive nature, allows the study of socially sensitive issues. One of such issues is the experience of on-call specialists related to the assessment of violations of children's rights in daily activities. According to Tidikis (2003), the aim of qualitative research is to describe and understand the subjective meanings of the individual himself/herself, giving him/her the opportunity to tell about his/her professional identity, experiences while working in the social field. The revealed subjective aspects of the specialists' experience construct their professional identity, which is unique and allows the researcher to see the difference of opinions, and at the same time assess the quality of the activity and its specificity.

The main **tool for collecting research data** is a semi-structured interview. The research participants were asked to share their experiences related to the assessments of violations of children's rights in daily activities and to assess the reactions of parents/guardians to the assistance provided by on-call specialists.

The sample of the research: 12 on-call specialists of the Children's Rights Protection Divisions of Šiauliai County and Panevėžys County participated in the research. The counties were selected to represent the region of Northern Lithuania. The sample is convenient because the professional career of one of the researchers is related to the position of an on-call specialist and she has accumulated significant work experience. This circumstance made it easier to coordinate the meeting time with other on-call specialists and to obtain more sincere and open answers to the interview questions.

The age of the informants is from 33 to 51 years. Analysing the obtained results, it was found out that the specialists comply with job and professional regulations, have a university degree in law or social sciences. The subjects' previous work experience is related to law enforcement, child rights protection and social work.

The need for on-call specialists in the process of child rights protection reforms

The activity of child rights protection specialists depends on the context – changes in the system of child rights protection and the changing attitude to child rights protection. Therefore, when examining the aspect of the activity of child rights protection on-call specialists in the field of child rights violations, it is necessary to delve into the changes that have taken place in the Child Rights Protection Service and the reasons for them.

The need for changes in the Child Rights Protection Service in Lithuania can be characterized by the following issues singled out by Dudaitė and Kairienė (2017): 1) insufficient functioning of the child rights protection system; 2) problems of deinstitutionalisation of children's care homes; 3) a large number of children growing up in families at social risk; 4) limited integration of children with disabilities into society; 5) high rates of child suicide; 6) lack of long-term systematic assistance to the child victim and his/her family; 7) insufficient public involvement in the process of protecting the rights of the child; 8) the limited role of the media in implementing the provisions of the Convention.

However, the researchers Bučinskas and Sakalauskaitė (2016) emphasize that the most important reason for change is the expression of domestic violence experienced by children. The manifestation of violence has led to tighter controls on the environment in which children grow up, therefore, it can be stated that the need for reforms in the Child Rights Protection Service is primarily linked to violence and failure to ensure child safety in the immediate environment. According to the data presented (retrieved from: <https://socmin.lrv>.

lt/uploads/socmin/documents/files/2018%2012%2005%20SADM%20smurto%20statistika_lentele_06(1).pdf), in the environment where the child should be safest, he/she faces the greatest threat of experiencing violence. Insecurity in the immediate environment is linked to a variety of factors that cannot be eliminated on the basis of a legal framework alone. Therefore, there is a need to respond more promptly to threats, to improve the assessment of the threat to the child and to speed up the adoption of appropriate decisions.

The main changes in child rights protection, which were determined by the editing of the package of the Law on the Fundamentals of the Protection of the Rights of the Child, are highlighted (retrieved from: <https://socmin.lrv.lt/lt/veiklos-sritys/seima-ir-vaikai/vaiko-teisiu-apsauga/vaiko-teisiu-apsaugos-sistemas-centralizacija>):

- The Child Rights Protection Divisions of all municipalities of Lithuania, which work according to the same standards, have become subordinate to the State Child Rights Protection and Adoption Service. At the same time, the values and goals were compared, the same law enforcement practice was formed, carrying out unified, clear and specific actions, representing and defending the interests of children throughout the country.
- Reports of possible violations of child rights are responded to around the clock, as well as during public holidays and weekends. Child rights protection specialists who work during working hours are replaced by on-call specialists who respond to reports related to violations of children's rights after working hours, on weekends, on public holidays.
- Prompt response is given to reports received through all forms of communication (written, oral or otherwise) from the police or natural persons. Reports may be submitted by natural persons, the school and other institutions. Upon receipt of the report, a possible violation case is investigated immediately, and decisions are made that ensure the safety of the child.
- Municipal case managers and social workers continue to provide services to families in need.
- From 1 July, 2018 all child rights protection specialists assessed the situations with a unified *questionnaire for determining the level of threat to the child*, according to the results of which a decision was made in the best interests of the child. From 1 January, 2020 these questionnaires were replaced by *child situation assessment forms*.
- Prompt organization of assistance and close cooperation with case managers and a mobile team that provides services to the family and the child according to the need and individual situations are ensured.
- Participation of psychologists in interrogations of minor (under 14 years of age) victims or witnesses is ensured. Psychologists also participate in interrogations of minor (under 18 years of age) victims and witnesses for crimes against human life, health, liberty, freedom of sexual self-determination and inviolability, child and family, for profiting from juvenile prostitution or involvement of a minor in prostitution.
- Child rights protection specialists actively participate in the dissemination of information, education and counselling in order to pay more attention to the prevention of violations of the rights of the child.
- Child custody (care), adoption organization and custody (care) supervision are coordinated.

The Ministry of Social Security and Labour of the Republic of Lithuania points out that the New Law on the Protection of the Rights of the Child (1996), (current consolidated version: 1 January, 2020) determines the protection of the rights of the child of a completely different quality, which creates preconditions for maximum coordination of institutions, increases the requirements for the qualification of specialists, provides the necessary assistance to parents, strengthens the work of institutions with parents.

A study of the experience of child rights protection on-call specialists

The qualitative research aimed to analyse the experiences of on-call specialists in relation to the assessments of violations of children's rights in daily activities and the reactions of parents/guardians to the assistance provided by on-call specialists.

The on-call specialists were asked to identify the violations they face in their daily work practice (see Table 1).

Table 1. Violations of children's rights in daily activities observed by on-call specialists (N=12)

Category	Authentic supporting statements
Domestic violence	<p><... the child experienced domestic violence from parents, persons living with them, guardians...>;</p> <p><...it is unfortunate that parents are violent against their child, but do not see violence in it...>;</p> <p><... use of violence against children...>.</p>
Parental abuse of alcohol and psychotropic substances	<p><parents intoxicated by alcohol or other psychoactive substances>;</p> <p><the parents or the only parent are intoxicated and cannot take care of the minor children...>;</p> <p><...the presence of the child/children with the intoxicated parents or the only parent ...>;</p> <p><...frequent parental alcohol consumption...>.</p>
Unsafe environment	<p><have addictions and endanger the child's physical and mental safety...>;</p> <p><presence... in an unsafe environment...>;</p> <p><... minors running away from home...>;</p> <p><... the child's right to adequate living conditions is violated...>.</p>
Conflicts in the family	<p><...constant conflicts in the family...>;</p> <p><...parental divorce...>;</p> <p><... conflicts between intoxicated parents or other adults in the presence of children...>;</p> <p><... alcohol, psychotropic substance use by minors...>.</p>
Problems of child development and health	<p><...if the child has a health disorder, is injured and is not being treated or has special needs, and the child's representatives by law do not satisfy them, do not see the need for treatment or treat by means that are harmful to the child...>;</p> <p><...autodestructive behaviour of the child (self-harm), which cannot be controlled by the representatives by law...>;</p> <p><...a child with a health disorder is not treated in the family...>;</p> <p><...cases of sexual abuse...>.</p>

After analysing the subjects' experiences related to violations of children's rights, it can be stated that the main violations that have been identified are alcohol consumption and violence against the child in a family, which becomes an unsafe environment for him/her. The greatest threat to the health and life of a minor is posed by parents/guardians, who use alcohol and/or psychotropic substances and live together with the child, and their behaviour. Other common offences were also identified: conflicts between adults in the presence of children, cases of children running away from homes, which, as the on-call specialists think, are usually provoked by an unsafe environment and conflicts caused by the use of alcohol and psychotropic substances by minors themselves. It is likely that minors learn this behaviour by observing the behaviour of their parents or other persons in their environment.

Other threatening cases that the on-call specialists have encountered in their professional activities are also mentioned. It is autodestructive behaviour of the child (when the child injures himself/herself), sexual abuse. The on-call specialists noted that in their activity there have been cases when a child in need of medical assistance is not treated due to the negligence of parents or other persons. Although, as mentioned by the on-call specialists, these violations are not common in their work, but they are extremely painful.

The results of the qualitative research correlate with the theoretical insights provided by scientists (Plaušinitienė & Masiliauskienė, 2009; Bučinskas & Sakalauskaitė, 2016) that violence significantly changes the child's behaviour, damages his/her consciousness, socialization, self-assessment and his/her assessment of the environment. The consequences of violence identified by the aforementioned authors were emphasized in the research by the on-call specialists: *violence against a child causes behavioural problems, forces him/her to run away from home, encourages theft, alcohol and/or psychotropic substance abuse.*

The theoretical overview of the problem mentioned that children most often suffer from violence in the immediate environment, and people close to him/her become perpetrators. When the health and life of the child is endangered in the family, the assistance of child rights protection specialists is definitely needed to ensure his/her transfer to a safe environment. Upon receipt of a report from the police or assistance centre and the arrival of on-call specialists to the immediate environment of the child, where his/her rights may be violated, adults, i.e., parents and guardians respond respectively to the arrival and assistance of on-call specialists (see Table 2).

Table 2. Reactions of parents/guardians to the assistance of on-call specialists, ensuring the rights of the child (N=12)

Category	Authentic supporting statements
Disrespectful treatment of specialists	<...acts of passive aggression or violence against employees occur...>; <...the reaction is usually hostile and negative...>; <they call specialists disrespectful epithets, offend them, and even threaten...>; <...hostile parents...>; <I happened to listen to the reproaches of intoxicated persons and uncensored words in relation to specialists, when these persons heard the decisions made by the Child Rights Protection Service specialists...>.
Reluctance to cooperate with specialists	<...parents are reluctant to cooperate with specialists...>; <...often intoxicated representatives of the child refuse to cooperate...>; <...they categorically refuse to cooperate...>.
Inadequate assessment of the situation	<...diverse, unpredictable, often complicated, parents make it difficult or hinder to make decisions with their actions...>; <...unwilling to abide by imperative legal norms...>; <...the child's legal representatives are unable to be adequate, in such a case there are no opportunities for communication...>; <...do not want to indicate a close environment that could take care of children...>.

All the informants who participated in the research stated that the willingness of parents and guardians to cooperate is minimal. Reactions to the arrival of specialists, the decisions made, assistance, are always negative, and sometimes even aggressive. There are often threats to deal with specialists. Most often individuals who are conflicting and hostile are intoxicated,

unable to adequately assess the situation, causing even more tension and stress for themselves, the child and the on-call specialists. The on-call specialists mentioned only a few cases when “<... parents cooperated with specialists in good faith...>” and *in consultation with the parents*, a temporary safe environment was sought for the child. Therefore, we can state that parents and guardians are not inclined to accept the offered help for the child, which even more complicates the work of on-call specialists.

Conclusions

Events related to violations of children’s rights in 2017 led to the start of reforms in the child rights protection system in the country. The main goal of the reforms is a prompt and efficient response system, which works when the child’s health and life are endangered, in order to protect the child to the maximum. The implemented reforms of the child rights protection system are related to the unified protection system throughout the country, more prompt assistance provided at any time of the day, and established comprehensive support service packages for the child and his/her family.

The purpose of the activity of an on-call specialist is the defence and protection of the rights and interests of the child. When making decisions related to ensuring the rights and interests of the child, the specialist must refer to the Law on the Fundamentals of the Protection of the Rights of the Child of the Republic of Lithuania and other legal acts provided as necessary. The professionalism of on-call specialists and the quality of their activity is determined by impartial decision-making that would be most favourable for the child.

The research of the experiences of on-call specialists allowed to distinguish the violations of children’s rights that dominate in their daily activities and the less frequent violations of children’s rights in their work practice. Dominant violations of children’s rights most often occur in the family and are related to the use of alcohol and psychotropic substances by adults and different types of violence against the child. Autodestructive behaviour of the child (when the child injures himself/herself), sexual abuse, cases of intentional neglect of the child’s health, when the child in need of medical assistance is not treated due to the fault of parents or other persons were identified by the on-call specialists as the less frequent violations.

Parents and guardians are not inclined to accept the help offered to the child by on-call specialists. Reactions of people close to the child to the arrival of on-call specialists, proposed and made decisions, are almost always negative, causing great tension, stress and insecurity for both children and specialists. Often on-call specialists also receive threats to deal with them.

Discussion

The results obtained after analysing the data of the research confirmed the opinions of researchers (Žiobienė, 2017; Kairienė & Žalimienė, 2007; Young, McKenzie, Omre, Schjelderup, & Walker, 2014, etc.) that violations of children’s rights are mostly related to people close to the child and the environment close to him/her. Parents, older siblings and other relatives usually become perpetrators. Child rights on-call specialists are the first to save a child from various forms of violence, neglect “here and now”, moving them from an unsafe environment to a safe place at any time of the day. Therefore, according to researchers (Plaušinitienė & Masiliauskienė, 2009), it is a very important task for child rights specialists to free families from the *cycle of violence* that continues from generation to generation and not to set a bad example for children.

It has been noted that another problem related to violence, which is of great concern in the daily work of on-call specialists, is the use of alcohol by persons in the child's immediate environment. Intoxicated relatives are not able to adequately assess and manage situations, thus "pushing" their children into danger. Alcohol use in the presence of children, like violence, forms a negative example for children. As a result, children's behavioural problems arise when the child begins to use alcohol, psychotropic substances, steal, behave aggressively, run away from home, have problems at school, and so on. All these facts show that on-call specialists must be able to react quickly to various situations and be prepared to avoid the dangers that occur in order to protect children.

In recent years, there have been a number of positive changes in the country's child rights protection system. Based on the analysis of the professional experiences of the on-call specialists of the Child Rights Protection Divisions of Šiauliai County and Panevėžys County, it can be assumed that the reform of the system is timely and necessary for children, families and the whole society. The emergence of the position of an on-call specialist ensured more effective protection of the child around the clock, on weekends and public holidays. The specialists working in Šiauliai and Panevėžys counties named many problems arising in families where children's rights are clearly violated. The analysis of the experiences of on-call specialists also provides an opportunity for self-analysis of their experience and allows to get to know families better and to anticipate preventive measures that would ensure the safety of children.

The research conducted revealed only a small but very significant part of the activity of on-call specialists. As in today's reality there is no research related to the activities of on-call specialists working in the system of child rights protection, and more diverse and complex practices are increasingly emerging in the activities of these specialists, consequently, the further research will allow for a deeper examination of situations that can help to change and improve the situation in the system of child rights protection.

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Summary

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The article analyses the changes initiated by the child rights protection reform, which started in 2017 together with the decision adopted by the Seimas of the Republic of Lithuania on the revision of the Law on the Fundamentals of the Protection of the Rights of the Child (1996). The aim of the changes is to reorganize the previous system of child rights protection and to initiate substantial reforms related to the protection of the rights of the child in Lithuania. One of the objectives to achieve this goal is to respond promptly and professionally to reports of violations of the child's rights and interests at any time of the day, in order to protect the child from potential threats. Taking into account the amendments to the Law on the Fundamentals of the Protection of the Rights of the Child (1996, consolidated version, 1 January, 2020) set out in Article 36. 3, a relevant and timely decision was made – to establish the position of on-call specialists working at night, on weekends, on public holidays in the child rights protection divisions of the country. As the position of an on-call specialist appeared in Lithuania only on 1 July, 2018, there is no research analysing and evaluating the activities of these specialists.

The object of the research: professional experiences of child rights protection on-call specialists from Šiauliai and Panevėžys counties.

The aim of the research: to analyse the experiences of on-call specialists in the field of violations of children's rights.

The sample of the research: 12 on-call specialists of the Children's Rights Protection Divisions of Šiauliai County and Panevėžys County participated in the research.

The research allows to state that the newly created position of an on-call specialist in the Lithuanian child rights protection system is timely and necessary. Its practical value is unquestionable, as it has been noticed that the activities of on-call specialists ensure the safety of children more effectively, protect their interests and provide assistance at night, on weekends and on public holidays.

The research of the experiences of on-call specialists allowed to distinguish the violations of children's rights that dominate in their daily activities and the less frequent violations of children's rights in their work practice. Dominant violations of children's rights most often occur in the family and are related to the use of alcohol and psychotropic substances by adults and different types of violence against the child. Autodestructive behaviour of the child (when the child injures himself/herself), sexual abuse, cases of intentional neglect of the child's health, when the child in need of medical assistance is not treated due to the fault of parents or other persons were identified by the on-call specialists as the less frequent violations.

Parents and guardians are not inclined to accept the help offered to the child by on-call specialists. Reactions of people close to the child to the arrival of on-call specialists, proposed and made decisions, are almost always negative, causing great tension, stress and insecurity for both children and specialists. Often on-call specialists also receive threats to deal with them.

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