

# INTERVIEW GUIDE FOR KEY INFORMANT INTERVIEWS (5 COUNTRIES)

The purpose is to get a more in depth and nuanced understanding of the child protection decision-making and proceedings (i.e., care order of newborns and adoption proceedings) in each of the child protection systems in 5 countries. We approach experienced decision-makers and experts in the area of child protection. The aim is for us as researchers to learn the mechanisms at play in decision-making situations and to better understand the decision-makers who make these decisions. Thus, the expert interviews will not serve as data for a systematic analysis, but rather to underpin the analysis of other data such as written judgements, policy/organisation documents, survey material.

The target group: Judges / decision-makers at the first-instance (court) level (3-5 experts in each country). Interviews may last for 60-90 minutes. No identifying information will be used by us in written texts or oral presentations. We label participants by codes, e.g., KI\_CC\_01, where CC indicates the country.

The interviews are preferably recorded but there is no need to transcribe them word by word. If recording is not allowed, written notes should aim to be fairly detailed.

## Background questions

- Name
- Education and place of work
- Any training in child development/ child protection / child rights / law?
- How long have you been working in this court?
- How long have you been deciding in child protection cases?

## Topic I: Decision-making approach

1. In child protection care order cases, what are the key legal sources for you decision-making?

What role do the judgments of other courts, e.g., the supreme court, the constitutional court and the ECtHR, play in your decision-making?

In adoption from care, is it the same sources?

2. How do you approach a child protection case in which you must decide whether to grant a care order or not?

3. What are the key challenges you experience in making these decisions? Do you have sufficient / too much guidance and information?

4. What is the role of deliberation with colleagues in your decision-making? Do you have informal / formal exchanges with your colleagues about the cases?

5. How familiar are you with the broad statistics on family interventions and child protection in your region/country? Does this influence your decision-making?

## Topic II: Justifications for decision

6. Does the written decision/judgment include all your arguments and reasons for your decision for/against a care order removal?

7. Would there be important reasons or arguments in relation to your decision that you do not include in the written decision/judgment?

If, yes, what would these excluded reasons/arguments be (typically)?

If judgments were published and publicly available, would it be necessary to change how they are written, esp. with regard to justifications?

Do you think judgments should be made public?

8. Do you know what proportion of cases gets appealed and thus reviewed by the next higher instance court?

Out of the cases that reach the next instance court, how many decisions are modified / overturned?

9. If decisions are overturned on appeal, what are the typical reasons for this?

## Topic III: The child's perspective / inclusion of children in the proceedings

10. Generally, in care proceedings, do you hear or meet with the children directly?

If yes, how do you decide whether to hear a child?

11. When do you think it is best not to hear the child directly? If you do not / cannot hear the child directly, who do you trust to represent the child's view?

Would you directly speak with the child to inform them about the decision made?

12. In your opinion, what are the key challenges in hearing a child?

How does your personal approach compare to other decision-makers' approach in these cases?

13. For some countries, there is very little information in the judgments about the children – would there be other places decision-makers would find detailed information about the child?

## VIGNETTE

A baby is born at the hospital. The mother is 22 years old. The father is unknown. The mother has a drug and alcohol abuse problem but has refused to use the services offered to her. The mother needs prompting and help to feed and care for the baby, and the hospital staff have concerns for the baby's safety.

The mother agreed to stay in a supervised mother-child centre, but after six weeks withdraws her consent. She wants to go home with the baby and does not want any interference from professionals.

The staff at the mother-child center have serious concerns for the baby's well-being, because the mother has not shown a noticeable change in caring for the baby and she does not provide emotional warmth and stimulation for the baby.

The mother does not have family or friends who can provide support for her and the baby.

***The information in this vignette is clearly limited, but it still has some realistic features.***

- A: Would you reflect on the case information, and how you think your court/system would handle these types of cases. What are the important features / considerations here?
- B: Predictions about the future?
- C: Whom to consult with?
- D: What if the mother's problem was learning difficulties?
- E: What if the mother's problem was mental health issues?

## Topic IV: Outcomes / systems' learning effect

14. Do you know / follow what happens to the children who you make decisions about?

Are cases routinely reviewed by you or one of your colleagues after a period of time (e.g., six months)?

15. Do you receive regular continued professional development / training on current issues in family law / child protection / child development? If yes, what kind?

16. Do you have an opportunity to share your experience with colleagues and with other relevant persons, including researchers, policy-makers, lawyers?

## Topic V: Attitudes towards social science research

17. What is your position with regard to social science research on child protection issues?

18. How about social science research on children's needs/wellbeing, psychological research etc?

Do you keep on top of the latest research? If not, why not? If yes, how?

19. Do you actively participate in research?

20. To what extent do mass media, public debate, social media have an impact on your work?

21. Is there anything else that you think would be important for us to know about decision-making about the removal of newborns and adoptions from care?

*Thank you for your time!*