



Summary

Advisory report High-conflict Parental Separations and Child Protection

Council for the Administration of Criminal Justice and Protection of Juveniles (RSJ)

The Advisory Division of the Council for the Administration of Criminal Justice and Protection of Juveniles (hereafter 'RSJ') has received signals that children who are involved in a high-conflict separation do not belong in the child care and protection system. These signals should be viewed in light of the stagnating child care and protection system, resulting in long waiting lists, a shortage of care providers and high work pressure experienced by professionals.

In a high-conflict separation parents may lose sight of the interests and wellbeing of their children and each other, as a result of ongoing substantial conflicts. It is estimated that around 6.000 children are involved in a high-conflict separation in the Netherlands each year.

This advisory report contains three recommendations:

1. Central and local governments should make an active effort to guarantee the right to protection of children who are involved in a high-conflict separation and whose development is seriously at risk;
2. Central and local governments should ensure early detection and triage for parental separation issues in order to prevent developmental risks for children in the context of parental separation;
3. The central government should take action and provide children sufficient protection and timely and evidence-based care.

In this advisory report, the RSJ emphasizes that children have the right to protection, rooted in the UN Convention on the Rights of the Child, especially when their parents are involved in a high-conflict separation. Excluding children in need, who are involved in a high-conflict separation, from child care and protection services is not an appropriate solution for the current problems in the child care and protection system.

The RSJ advises to always prioritise the interests of children in a high-conflict separation. If necessary by involving the child care and protection system. Children should suffer as little as possible from the separation of their parents and their voice must be heard in the separation process. It is important, in order to prevent escalation of problems, that all involved parties in the system take responsibility, including municipalities, child care and protection services, legal representatives and the judiciary. In addition, stakeholders should stay committed to early detection, triage and timely and evidence-based care and should guarantee equal access to these services. This also implies reducing waiting times

at social services and the judiciary and ensuring that the courts can deliver judgments within a reasonable time. The RSJ also advises setting quality requirements for lawyers handling separation cases involving minors.

Questions relating to the place of high-conflict separations in the child care and protection system should not be regarded in isolation, but should be seen in light of the stagnating system. Children involved in a high-conflict separation should not fall victim to this stagnating system; it is of great public interest to offer these children timely and effective support. The RSJ asks the central government to quickly take action and to implement a national approach that enables children and parents in a high-conflict separation to receive appropriate care and support as soon as possible.

The complete advisory report in Dutch may be consulted [here](#).

