

Summary

Safeguarding Families and Rights of Parents with Intellectual Disability involved in Child Protection: The role of Rights Protection Officers

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Introduction

Research shows that parents with intellectual disability are disproportionately involved in child protection due to factors like poverty, social isolation, and insufficient support. Biases among professionals regarding these parents' capabilities contribute to this issue. However, with proper support and unbiased attitudes, they can effectively parent. In Iceland, the role of rights protection officers (RPOs) is pivotal in safeguarding the rights of disabled people, following legislation influenced by the Convention on the Rights of Persons with Disabilities. RPOs assist in monitoring and ensuring rights, with an increasing number of cases reported, highlighting the growing need for their services.

Framework and methodology

The research examines the role of Rights Protection Officers (RPOs) in supporting parents with intellectual disability during child protection involvement. Two main frameworks were used to do so: the disability human rights perspective, based on the Convention on the Rights of Persons with Disability, and the concept of "institutional justice capital" from Hamilton and Maslen. Using Charmaz's grounded theory approach, data from nine interviews revealed RPOs' perspectives, challenges, and impact. Despite the small sample, the study represents most RPOs in Iceland.

Summary of findings

During the data analysis, four main themes were constructed, highlighting the role and challenges of Rights Protection Officers (RPOs) in Iceland as they support parents with intellectual disabilities.

1. Altering Power Relations

RPOs play a crucial role in helping parents with intellectual disabilities exercise their rights. They provide institutional support and amplify parents' voices to shift power dynamics in their favor. This support helps parents having a voice in child protection cases and ensures their rights are respected.

2. Lack of Knowledge

A significant barrier for RPOs is the lack of knowledge about disability rights within the child protection and judicial systems. Judges, often uninformed about what constitutes appropriate support for parents with intellectual disabilities, tend to rely on the opinions of child protection authorities and their experts. This deference makes it challenging for RPOs to advocate effectively for the parents. Additionally, RPOs often need to educate system

workers that the issue is not just about providing services but about upholding human rights. Although Iceland is known for its commitment to gender and LGBT+ equality, this sense of equality does not always extend to disability rights, posing an additional challenge for RPOs.

3. Systemic Apathy

The term 'systemic apathy' came from interviews with rights protection officers (RPOs), indicating a widespread lack of interest and understanding about disability rights within governmental and social service systems. This apathy, rooted in societal attitudes, hinders RPOs' work, requiring them to spend significant time educating officials about disability rights and the Convention. This lack of engagement affects not only high-level policymakers but also support workers, complicating efforts to support parents with intellectual disabilities. The RPOs find this ongoing struggle to raise awareness and educate others exhausting and frustrating.

4. Challenging the Informal

Contrary to common critiques of bureaucracy as oppressive, RPOs argue for greater transparency in the decision-making processes of child protection services. They emphasize the importance of documenting and sharing meeting minutes and decisions to ensure that parents and their supporters are fully informed. This transparency is seen as essential for safeguarding the rights of parents with intellectual disabilities. RPOs fight to make assessments and decision-making processes visible and accessible, insisting that documentation be available to all relevant parties.

In summary the work of RPOs is vital in shifting power dynamics to favor parents with intellectual disabilities, addressing knowledge gaps within the judicial and child protection systems, combating systemic apathy, and ensuring transparency in decision-making processes. Despite challenges, RPOs strive to uphold the human rights of these parents and ensure they receive the support they need to navigate the child protection system effectively. By amplifying parents' voices, educating system workers, and demanding transparency, RPOs play a critical role in advocating for and protecting the rights of parents with intellectual disabilities in Iceland.

Implications

The themes presented in the analysis show how prejudicial views of disabled people trickle down from society to government policies, the judiciary, and social services, ultimately affecting interactions between parents with intellectual disabilities and child protection services. Overall, these findings underscore the urgent need for systemic reforms to address the structural barriers and biases that perpetuate injustice for parents with disabilities within child protection and judicial systems. RPOs play a vital role in advocating for fairness, transparency, and accountability, but their efforts must be supported by broader societal and institutional changes to achieve true social justice for all individuals, regardless of ability. The human rights protections gained from the Convention are insufficient alone; specialized rights protection mechanisms are necessary. RPOs should be standard in child protection cases involving disabled parents to ensure just processes. As Gerard Quinn suggests, the CRPD has the potential to transform state attitudes toward disability rights. RPOs act as activists and change agents, and their office should be supported as an independent agency to prioritize the rights of disabled people in the justice system.

Easy-to-read summary

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Introduction

Parents with disabilities often face challenges in the child protection system. In Iceland, Rights Protection Officers (RPOs) help these parents. They ensure fairness and follow laws like the Convention on the Rights of Persons with Disabilities.

What we did:

We studied how RPOs help parents with disabilities. We looked at disability rights and how institutions work. We interviewed RPOs to learn about their work.

What we found:

Rights protection officers support parents' rights and help them speak up and tell their side of the story.

Many workers in the system don't understand disability rights, making it hard for the officers to help.

They must spend a lot of time educating about those rights to people working in the system. It can be hard for the officers because some people don't care about disability rights.

The rights protection officers want fair decisions and make it more clear how child protection makes decisions.

What needs to happen:

We need changes to support parents with disabilities. Rights protection officers are important for fair treatment. The Convention on the Rights of Persons with Disabilities is necessary, but we need more support for the rights protection officers to ensure justice for all.