

An Evidence Review on Social Services Workforce Decision-Making Processes

LEBANON

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This report was commissioned by SOS Children's Villages International as part of a four-country study on the decision-making process for placing children in alternative care.

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Abbreviations

CP	Child Protection
EU	European Union
IRC	International Rescue Committee
MOJ	Ministry of Justice
MOSA	Ministry of Social Affairs
NGO	Non-Governmental Organizations
SOP	Standard Operating Procedures
UPEL	Union for the Protection of Children in Lebanon
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund

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We would also like to express our appreciation to the professional stakeholders who kindly gave their time to be interviewed and most importantly, shared with us their knowledge and ideas.

1. Background

Gatekeeping¹ and the decision to place a child in alternative care are significantly influenced by two factors in particular: the circumstances the child is living in, and the decisions that are taken by those with responsibility to make safeguarding decisions. The latter is highly dependent on the functioning of the child protection system in which social service providers work, as well as their personal attributes, training, understanding, knowledge, and skills.

International guidance relating to decision making in respect of child protection, alternative care, and 'gatekeeping' is outlined in a number of international documents including the UN Guidelines for the Alternative Care² and accompanying Handbook, 'Moving Forward'³. This guidance incorporates the principle of 'necessity' meaning no child should be placed in alternative care unless a rigorous multi-sectoral and participatory assessment indicates a child is at risk of harm and is used to inform decisions taken by well trained professionals. The second principle requires decisions and solutions that are the most suitable for each child. All decisions should be in the best interest of the child and uphold their rights. Emphasis must be on the primacy of prevention of separation of a child from their parents and placement in alternative care used only as an action of last resort and for the shortest time possible.

While some academics and practitioners alike have identified challenges related to decision-making and child protection and alternative care, there are indications that much of this research has predominantly emanated from high-income countries thus leaving a gap in our knowledge of decision making practices in low and middle income countries.⁴ To address this concern, SOS Children's Villages International has initiated a research series that focuses on the drivers of child-parent separation in different regions of the world. Knowledge about the situation of children at risk of, or already placed in, alternative care and how decisions were reached to place them there is of crucial importance to social service providers like SOS Children's Villages International, governments and other relevant bodies. Such evidence can provide insight into decision making by professional stakeholders holding responsibility for child protection and alternative care and help inform future programmes that increase the efficacy of decisions being taken.

To help address some of the gaps in knowledge as identified above, a rapid desk review on decision-

1 For further explanation of the term 'gatekeeping' please see: Csaky & Gale 2015

2 United Nations General Assembly 2009

3 Cantwell et al. 2012

4 Font and Fluke. 2023; Munro 1999; Przeperski & Taylor 2020; Turney et al 2012

making in relation to placement of children in alternative care in different regions of the world has been completed. This review has been complimented by the undertaking of case studies in four countries, El Salvador, Denmark, Kenya and Lebanon that included a desk review and collection of primary data.

In order to address some of the gaps in knowledge as identified above, a short study of decision-making in relation to placement of children in alternative care has now been undertaken in four countries, El Salvador, Denmark, Kenya and Lebanon. Below are the findings from Lebanon. These findings will contribute to a consolidated report that will provide the combined evidence from all four countries.

2. Research Questions

The aim of our research was to investigate the following research questions:

- What does the literature say about the efficacy, subjectivity and objectivity of decision-making undertaken by the social services workforce working within the functioning of the national child protection system, and in particular, decisions to remove a child from parental care and place them in alternative care in Lebanon?
- What are the factors that influence social services workforce decision-making in Lebanon?
- What are the main findings and recommendations?

3. Research Methodology

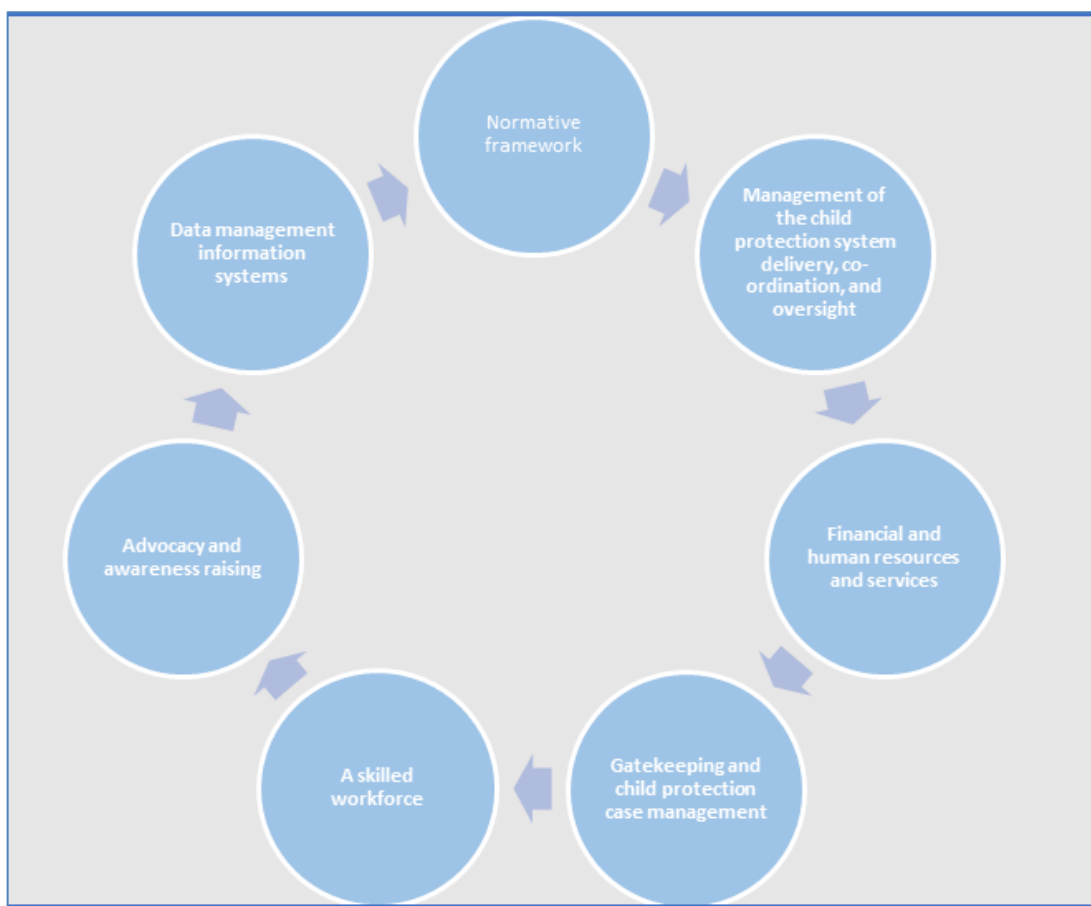
The Research Framework

Our research framework was developed in a manner that allowed exploration of decision making in the context of children's placement in alternative care. The framework was based on a child rights approach and international standards for the protection and alternative care of children.

We believe the decision to place a child in alternative care is particularly influenced by two factors: the circumstances they are living in, and the decision making of those with responsibility for child safeguarding judgements. In this respect, our research framework particularly focussed on the factors influencing such decision making. Most especially we considered decision making within the context of the national child protection system.

A well-functioning child protection system requires a coordinated and holistic approach to investing in, developing, and sustaining, all the necessary components as illustrated in Figure 1. This includes a suitable normative framework and programmes built on rigorous data collection and analysis, as well as suitable structures for the delivery of services that protect children and help mitigate the multi-sectoral factors placing children at risk. It requires a well-resourced and skilled work force, and coordinated, inter-sectoral partnership working between the State, families, communities, Non-Governmental Organizations (NGOs), and the private sector, in order to build a protective environment for children.

Figure 1. Components of a national child protection system



Desk Review

A systematic desk review of literature related to the efficacy, objectivity and subjectivity of social workforce decision making has been undertaken in Lebanon. The review briefly considered the functioning of the national child protection system including legislation, policy and statutory guidance, and the quality of social work education as it impacts on decision making.

The search terms, presented in Figure 2, that were used were the same as those employed in the global literature review that was conducted as part of this study on decision-making for alternative care. They included a focus on decision-making in child protection with an emphasis on the subjectivity/objectivity and efficacy angles from the perspective of different stakeholders.

Figure 2. Search terms used for the literature review

- 'decision making' AND 'child protection' AND 'Lebanon'
- 'decision making' AND 'social work' AND 'children' AND 'Lebanon'
- 'subjectivity' AND 'decision making' AND 'child protection' AND 'Lebanon'
- 'objectivity' AND 'decision making' AND 'child protection' AND 'Lebanon'
- 'child protection assessment' AND 'effectiveness' AND 'Lebanon'
- 'effectiveness' AND 'child protection' AND 'Lebanon'
- 'attitudes' AND 'child protection' AND 'Lebanon'
- 'decision making' AND 'social workers' AND 'Lebanon'
- 'decision making' AND 'judges' AND 'Lebanon'
- 'child protection practitioners' AND 'decision making' AND 'Lebanon'
- 'social services workers' AND 'decision making' AND 'Lebanon'

Semi-structured interviews

A series of 12 semi-structured interviews have been conducted with members of the social services workforce, judiciary and other decision makers in relation to child protection and alternative care placements. All respondents were asked the same initial questions which were further elaborated based on the respondents' respective roles in the decision-making process. Questions included the participants' roles in decision-making, the information collected and the methodology for processing it that was adopted, the people involved in the decision-making process as well as the timeframe for decision-making, the adequacy of the training they receive and potential barriers to and needs for better decision-making. The study team in Lebanon used the same study guide as all the other countries that were part of the study (Appendix 1). However, in the case of Lebanon, it was translated to Arabic by three experienced researchers. All interviews were conducted in Arabic and transcribed in English.

Purposive sampling

A purposive sampling approach has been applied to the selection of professionals identified as being key decision makers in terms of placement of children in alternative care in Lebanon. Purposive sampling is a methodology widely used in qualitative research and will be utilised as it allows for intentional selection of knowledgeable participants that will generate theory and understanding of a specific social process and context.⁵ Interviewees were selected based on the researcher's knowledge of key professional stakeholders in Lebanon and included social workers from different NGOs that are concerned with the placement of minors in alternative care, heads of departments at the Ministry of Social Affairs (MOA) and juvenile judges from the Ministry of Justice (MOJ) who practice in different regions in Lebanon (Table 1).

Table 1. Profile of Interviewees

Entity	Number	Role
MOJ	5	one juvenile judge/governorate
NGO	3	<ul style="list-style-type: none">• Performance assessment• Case manager• Director of the Family Empowerment Program
MOA	4	Department heads for: <ul style="list-style-type: none">• Social Welfare• Juvenile Protection• Specialized Social Welfare• Affairs of the Disabled

Impartiality and lack of bias

It is important that throughout the research process, participation of a cross-section of stakeholders was upheld so that a representative and impartial understanding of issues under consideration can be gathered. To this end, all stages of the research including the methodology of data collection, analysis and reporting, was designed in a manner that demonstrates lack of bias and will ensure that the views of all stakeholders has been taken into account and reported.

Analysis

Transcriptions of all recorded interviews have been translated into English and sent to the International Lead Research. The International Lead Researcher has analysed the

⁵ Arber 2006; Ritchie et al. 2006; Robson 2002

transcriptions utilising the NVIVO 11 software thus allowing comparability of evidence gathered in the four participating countries.

Reliability and rigour

Careful attention has been given to reliability and rigor throughout the process of generating, recording, analysing and presenting data. This incorporated careful research design and implementation including the use of varied and standardised methods for collating data, careful consideration of respondent selection; careful transcription; and awareness of respondent bias. In addition, all steps of the research process have been explained in an open and transparent manner.

Ethics

All elements of the research process have been designed and conducted in a manner guided by professional standards and ethical principles. All efforts have been made to ensure participation in the research does not lead to harm, stigma, re-victimisation or discrimination. All researchers have upheld the principles of impartiality and guard against bias and distortion in reporting views and opinions of participants.

Informed consent

Informed consent has been sought from all research participants. All participants were informed of the context and purpose of the research, as well as issues related to confidentiality and use of information they provide. It was made clear to all participants that their participation in the research is voluntary and they could withdraw from the process. Participants have the opportunity to correct, change and retract their input up until final reports are published. To this end, Information Sheets and Consent Forms were provided (Appendices 2 and 3). For the purposes of the study in Lebanon, these forms were translated into Arabic and validated by three experienced researchers.

Confidentiality and data protection

Research participants have been guaranteed anonymity and any write up of research findings will not contain names or identifying features. All raw data has been transferred to the Lead Researcher and stored in password protected confidential files. Data will be securely disposed of in accordance with GDPR.

4. Research Findings

The national child protection system in Lebanon and its impact on decision-making

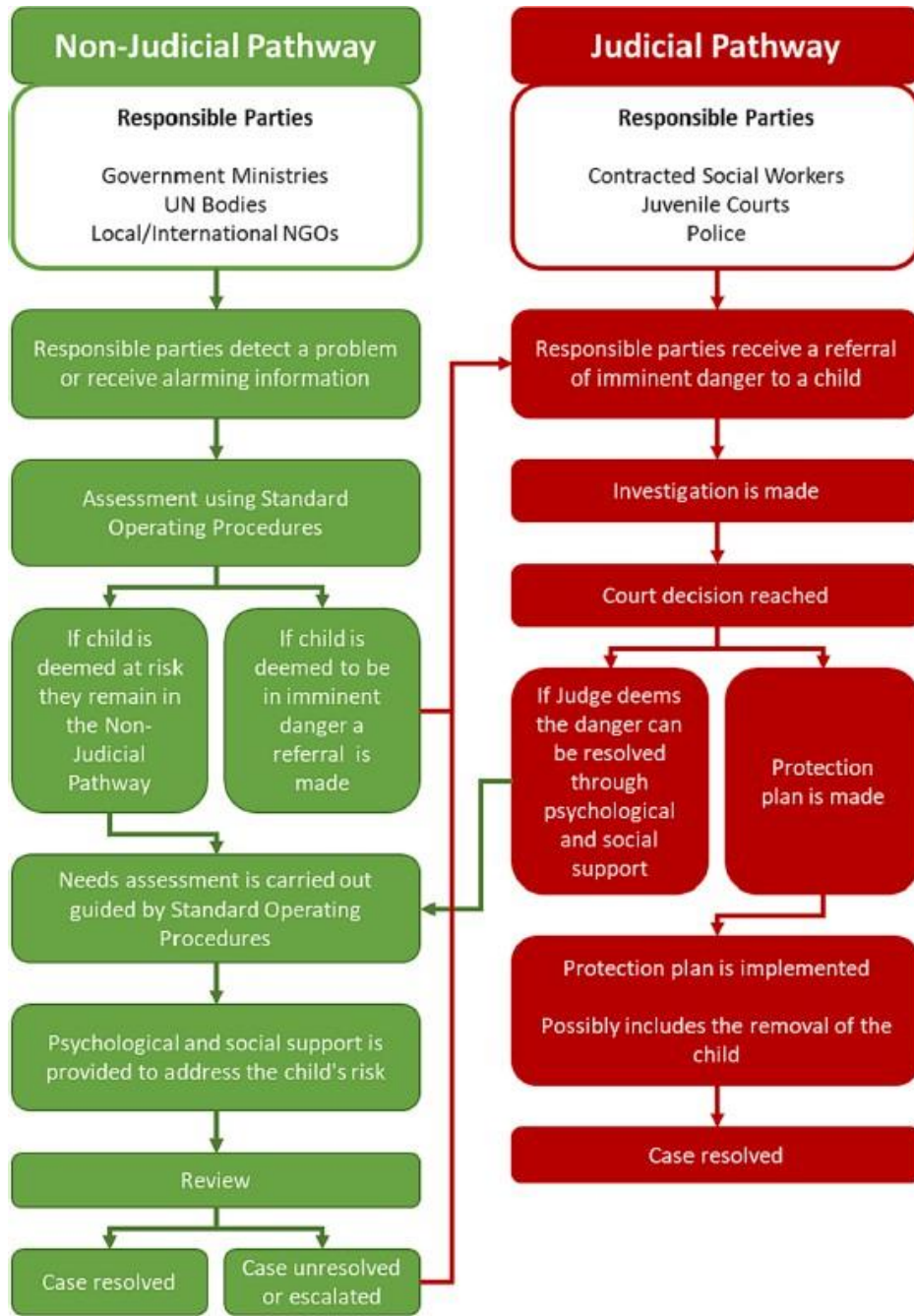
In 2002, the Lebanese government approved Law 422, which saw the beginning of the country's first state-managed Child Protection (CP) system that granted unprecedented authority to civil juvenile courts, judges, and contracted social workers to investigate child maltreatment cases and create care plans.⁶ Prior to this, these matters were under the control of the religious courts and dealt with by civil societies. However, given the intrusion of the state in what was previously considered religious and family affairs, Law 422 was considered extremely controversial by the religious courts and most of the public. The new CP system also required added hard to come by resources, both human and financial, which made it difficult for the government to diligently implement it. Especially since the government had failed to introduce referral pathways that coordinate between the NGO sector and the new CP system.

Since 2015, the dual pathway initiative, depicted in Figure 3, along with the Child Protection Case Management Standard Operating Procedure (SOP) for Lebanon developed by the Lebanese School for Social Work at Saint Joseph University of Beirut and the MOSA with support from the United Nations International Children's Emergency Fund (UNICEF) and funding by the European Union (EU) have been implemented in Lebanon. The dual pathway initiative emphasizes the presence of two possible options in child protection management in Lebanon one focused on protection from immediate danger and the other on social intervention to prevent possible danger. The SOP include child and family assessments that should inform decisions about whether a child can remain with their family or should go into alternative care. By law, all entities involved in CP in Lebanon (Figure 3), should apply the SOPs. However, the limited number of government social workers, the lack of sufficient financial resources, and the lack of specialised knowledge or expertise might hinder rigorous case management and suggests that the assessments might not be carried out properly.⁷ Furthermore, some children are still being placed into care without the use of these assessments.

⁶ El Hoss 2020; El Hoss 2021; El Hoss & Brown 2022; El Hoss 2023

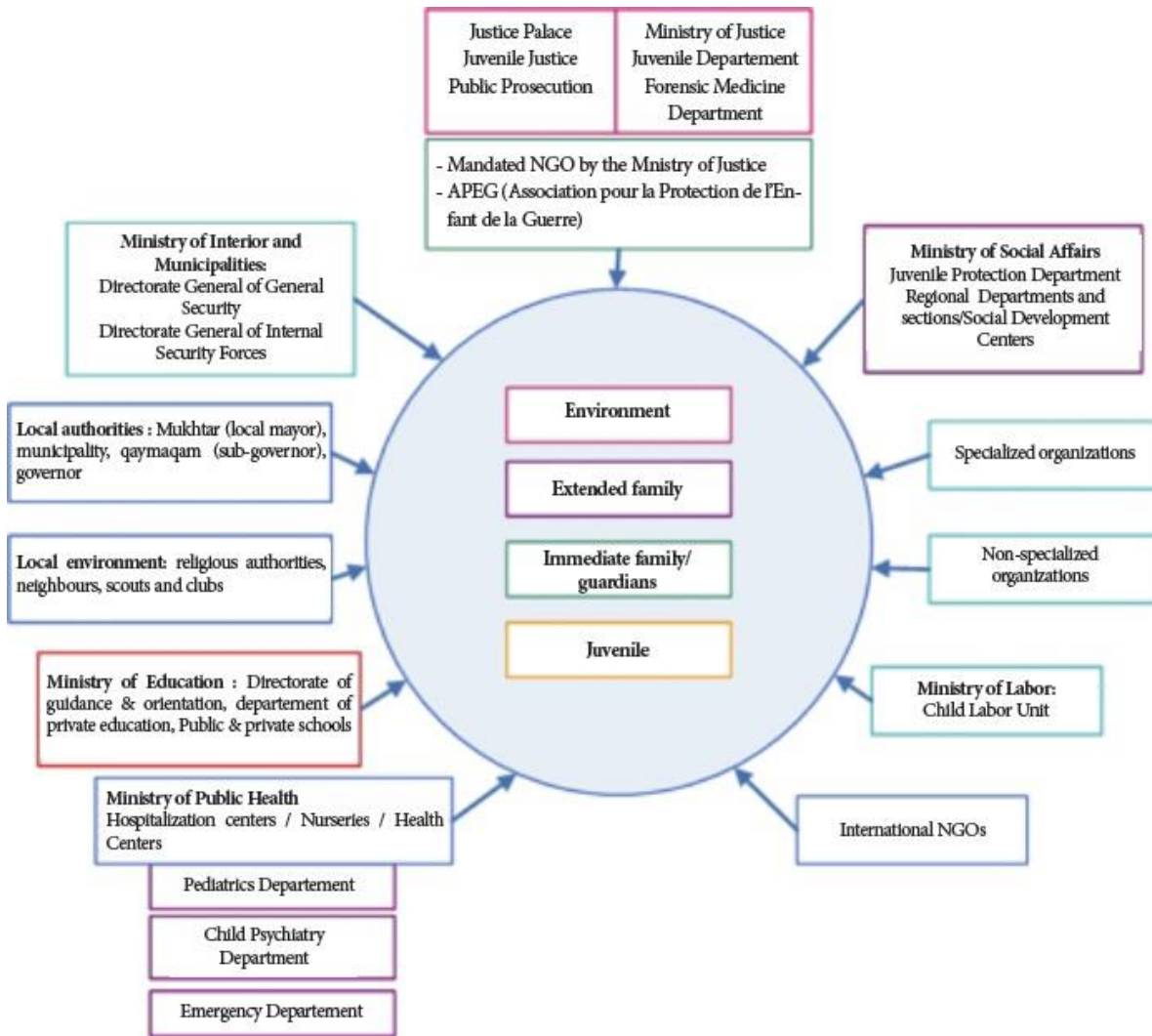
⁷ Gale 2021; El Hoss 2020

Figure 3. Decision-making pathways in Lebanon⁸



⁸ El Hoss 2020

Figure 4: Partners in the protection of juveniles⁹



Factors impacting decision making on the placement of children in alternative care in Lebanon

Desk Review

Around 30 articles/reports were identified of which 25 had potential information on decision-making. The sources consisted mostly of reports (20) with a few articles (3), a policy brief and a PhD thesis. Most of the information was on child rights & child protection particularly the SOPs. There were a few sources reflecting UNICEF and Save the Children activities in Lebanon while others focused on child protection in educational establishments. Practically only eight sources provided information that was relevant to the scope of this study. Details on these sources are listed in Table 2 below.

⁹ MOSA 2015

Table 2: Details of relevant articles identified in the literature search

	Author	Title	Type
1.	Thomas El-Hoss	Reforming Lebanon's child protection system: Lessons for international child welfare efforts	Children and Youth Services Review 148 (2023)
2.	Nathalie Hobeika	Residential Care Centres Assessment Report	Himaya and Lebanon Humanitarian Fund Report 2023
3.	Thomas El-Hoss & Louise Brown	Road-testing child protection typologies: A case study in Lebanon	Child Abus Rev. 2022
4.	Thomas El-Hoss	Between the State and Community: Child Protection in Lebanon	PhD thesis 2020
5.	Chrissie Gale	The National Child Protection System and Alternative Child Care in Lebanon	SOS Villages International Report 2021
6.	Thomas El Hoss	Lebanon's Standard Operating Procedures for the Protection of Children	Policy Innovation Case Studies No 10 2022
7.	MOSA	Standard Operating Procedures for the Protection of Juveniles in Lebanon	Operational toolkit 2015 MOSA, ELFS-USJ & UNICEF
8.	Child Frontiers	Scoping study and recommendations for next steps on alternative care Lebanon	Child Frontiers Report 2017

The real focus of the literature in this domain in Lebanon was mainly on describing the CP system itself. In Lebanon, the CP system is characterised by its dual pathway namely the judicial measures pathway and the non-judicial measures one¹⁰. The first results in a protection plan under the jurisdiction of the Ministry of Justice overseen by the juvenile court and judges who provide measures to protect juveniles from imminent danger. The second results in an intervention plan to protect juveniles at risk under the jurisdiction of the MOSA in collaboration with contracted care organizations. The SOPs provide operational tools intended for use at every stage of the assessment. These are listed in Figure 5.

¹⁰ MOSA 2015

Figure 5: Assessment tools included in SOP

- Indicators of the Degree of danger or mistreatment
- Filing of the case of the juvenile upon receipt of reporting / notification
- Guide to receive notification or reporting of alarming information and additional investigation
- The Assessment Guide of facts/data related to the danger
- Assessment of the vulnerability of the juvenile
- Parents capacity and competencies assessment guide
- A guide to assess available resources in the social environment
- Assessment Report Drafting Sample
- Criteria for referring the juvenile to an alternative care institution
- Protection plan –the Court’s decision according to the case: NOT AVAILABLE)
- Measures required by the judge from the parents
- Intervention Plan/judicial and non-judicial measures
- Report addressed to an alternative care institution
- Criteria of Protection Measures Review
- Sample of the Protection Measures Review Report
- Required documents depending on nature of file (judicial or non-judicial)

None of the sources reviewed attempted to evaluate the decision-making process. However, the eight sources listed in Table 2 discussed the process (as a whole or in part) and highlighted some of the issues with decision-making in the system. El Hoss, for example, focussed on the reforming of the Lebanese CP system emphasizing the state’s centralisation and standardisation of CP through the introduction in 2015 of two seminal policy programs namely, the dual pathway initiative (Figure 3) and the standard operating procedures¹⁸. The author stressed in his analysis that it was the first time that the state attempted to regulate child protection, a task which had previously been within the realm of religious courts and civil societies. This however, led to conflicts with religious courts and demonstrated a clear lack of coordination over alternative care arrangements.

“There could be a number of situations where the religious courts are making decisions that are affecting the lives of children but because they are personal status cases they are being made entirely by the religious courts. We are just not sure to what extent or if at all the religious courts are taking the best interests and actually resorting to Law 422 when making a decision. So that is a big concern”

(Child protection officer - International NGO 3)

"I have only one problem, the law gives power to judges so that they can remove the child from their family – but where do you put that child if I was to remove them from their parents? I would normally think that it is better to keep him with his natural family or extended family. But if the family is not good? Really the only option is an orphanage or something like that. Is that really the best for them?"

(Former President – Juvenile courts)

Only one report specifically discussed residential care centres ¹¹while two others¹² devoted a chapter or a section to them. The findings of the report by Hobeika¹³ suggest that there is no law or decree that regulates the work of residential care centres in Lebanon. In fact, there are two categories of residential care centres in Lebanon namely, those contracted by the MOSA and those not contracted by MOSA. Therefore, the minimum standards set by the MOSA are only applicable to the first set of care centres while the second are free to operate with or without self-set standards. Moreover, the administrative measures put in place to monitor the care centres are insufficient and frequently below the internationally recommended standards. In addition, the few reports that exist on residential care centres in Lebanon all agree that a lot of centres in the country are providing poor quality care as they face challenges in terms of availability of qualified staff, overcrowding, lack of funds to provide basic services, no capacity to care for special population groups or those in need of emotional support, and occasionally issues with abuse and punishment. In terms of decision-making, findings of this study suggest that all care centres have clear admission criteria and procedures, but they also have exclusion criteria that they can use to justify the refusal of any child even one that fits the admission criteria. In addition, there seems to be no clear indication of the duration of the placement at the time of admission and there appears to be some confusion over the delineation of roles and responsibilities between the centres and the MOSA social worker. The Child Frontiers report although older (pre COVID-19 pandemic) considers poverty, lack of access to quality education, disability and abuse or neglect as the main reasons for placement into residential care.¹⁴ Moreover, the report identifies several problems in the decision-making processes for children entering social welfare care including lack of time to carry out proper assessments, unqualified social workers, the

¹¹ El Hoss 2023

¹² Child Frontiers 2017; Gale 2021

¹³ Hobeika 2023

¹⁴ Child Frontiers 2017

children's opinion is not solicited and loose entry criteria for admission.

Interviews

Social workers, department heads at the MOSA and juvenile judges practicing in different regions in Lebanon provided a comprehensive picture of the alternative care landscape and the different components of the decision-making process in Lebanon. Their contributions are summarized below, disaggregated based on their role in the process.

1. THE SOCIAL WORKERS' PERSPECTIVE

Officially, by law, social workers in NGOs have a limited role which consists of submitting reports to the juvenile judge so that they can make the appropriate decision. The courts have the primary responsibility in this process. The judges make decisions based on reports from social workers from organizations such as: Union for the Protection of Juveniles in Lebanon (UPEL), Himaya, Karama, and others.

"The Lebanese law 422 is explicit in that lawyers can give their opinion, social workers always intervene in the best interests of the child, but it is exclusively the judge who makes the final and official decision."

The social workers initiate the process as they are involved in making social assessments using various tools that serve to evaluate parental capabilities as well as those of the extended family. Home visits, interviews, contacts with the school, the mayor, the mukhtar, the judge and the police are conducted to assess the extended family's ability to receive the child, ensuring they have no criminal history and

evaluating their capacity to establish boundaries for the child. Social workers also play a pivotal role in emotionally and psychologically preparing the child for the transition, ensuring that their consent is obtained before any transfer occurs. They perform a complete assessment that includes the situation of the child, their psychological state, number of siblings, family situation, psychological state of the mother, extended family situation (grandparents, uncle, aunt), the home environment and living conditions, the legal status of the child and the parents, the mental disorders of the child and the parents, possible addictions to substances, etc. ...

The tools used in the initial assessments vary from one NGO to another as each NGO seems to have developed its own. Himaya has been actively involved in the development and standardization of assessment tools for families and children within the context of alternative care. They have also developed self-assessment tools for specialists. These tools have subsequently been used by various entities, including the United Nations High Commissioner for Refugees (UNHCR) and the International Rescue Committee (IRC), although the MOSA has not officially approved them yet.

"However, it's noteworthy that the judicial authority has neither rejected nor provided comments on our work based on these tools during their review of our assessment reports."

Social workers at UPEL use a child-specific data collection form to conduct their initial investigation and find out the reason why the child is being considered for alternative care.

Once the initial information is collected, everyone seems to revert to using the SOPs for case management developed by the MOSA. The SOPs are a crucial element in the decision-making process because they include important steps such as an intervention plan, an evaluation of the case, how it was monitored, and the status of the case. The SOP is also used to define the level of risk and decide whether a case should follow the judiciary track or the social one. Currently, SOS, who have also elaborated the case-keeping concept, are working on revising this tool and create a unified version that encompasses all cases. SOS have their own tool and are working to unify the tool with the MOSA. This assessment provides a decisive outcome regarding whether the child is at risk within their family and necessitates a transfer. Following the investigation, a detailed report, including assessments and recommendations is prepared and shared with juvenile judges. Time is critical and it is common for high-risk cases, such as sexual violence, threats and displacement, to be quickly addressed. In addition, from experience, they can tell, based on the assessment and investigation, if the child needs a host or extended family.

If the SOP outcome indicates that the child is at risk and requires a transfer, a protection file is opened with the juvenile judge, and they proceed to the next phase which consists of utilizing tools for assessing alternative care and identifying an alternative family which is often the extended family. These tools enable a more comprehensive evaluation of the child's situation within their family, gauging the NGO's ability to either support the child's

improved conditions within the family or facilitate a move to alternative care, which is always considered a temporary solution. However, in certain scenarios where the child is in severe danger, such as instances of sexual abuse, cases of rape, harassment, threats, abandonment and homelessness, there is no solution for the child's safety other than immediate removal through judicial intervention.

There is no formal control on or party overseeing the work of care organizations in Lebanon. Organizations that are members of the CP sector conform with the guidance that they received from the sector as they are part of the network. Others can work as they wish and there is no legal entity in charge of stopping or controlling them.

"In fact, no one really knows what they do or how they do it."

Placing children in alternative care outside the realm of the judiciary is only possible with the consent of their families. In such cases, children are transferred to an extended family, an alternative family, or relatives through an alternative care agreement signed by the primary family and the family receiving the child. It is crucial in this context that no monetary exchange occurs, ensuring that children are not trafficked in any way. This arrangement is legal and cannot be contested as it consists of an agreement between both parties, with full consent from the parents and is usually for the benefit of the child. These are usually cases where the parents acknowledge that they cannot support their children and have found an alternative arrangement, frequently with the help of a care organization that identifies and vouched for the alternative family. The child would, therefore, be allowed to leave the care organization to spend weekends with the alternative family, for example, if that is agreeable with the biological parents. Before organizing this transfer, an assessment of the receiving family would have been conducted by the organization based on specified conditions and criteria that they set.

If the risk of danger is not high and the driver for putting the child in alternative care is socio economic (for example, inadequate housing, the mother's work situation) this will probably result in the economic support, through the family empowerment program, rather than resorting to placing the child in alternative care. After the social worker's assessment, if the risk of danger is found to be high, the social worker will reassess and re-question the decision and submit a request for a protection report for the courts.

The sole factor that could influence the decision is the child's response. If the child is unwilling to move in with a specific extended family or alternative family, the social workers cannot compel them. In such cases, they must undertake additional efforts to prepare the child for the transfer and explore alternative solutions that align more closely with the child's preferences and well-being.

"We [the social workers] are the child's advocate."

The decision-making process is a collaborative objective effort intended to determine the level of risk and ensure the child's best interest. Strict, clear, and well-defined procedures are followed and there is, within each NGO, a hierarchy in the decision-making process. Based on the SOP, criteria are established to evaluate the risk of danger to the child and the need to transfer a child to alternative care. When making a decision, only necessary details are taken into consideration in order to make the right decision in the best interests of the child.

"Even though we [social workers] are human, we [social workers] remain objective in our reports."

Nevertheless, the social workers also rely on their experience when making the decision. This is evident in the hierarchy of the decision-making process within the organization as the overseer of the decision is always someone with more longevity and hence, better experience.

"The social assistant initiates the process, and the senior case manager (with a minimum 10 years of experience in the field) reviews their work, taking into account assessments provided by psychological experts. Furthermore, I, as a legal affairs coordinator for more than 30 years' experience in the field, conduct a thorough review of both the assessment and the decision before presenting our report to the judge, who holds the ultimate authority in making the final and official decision."

Therefore, although they apply the SOPs carefully, the social worker also depends on their acquired knowledge, experiences and expertise in the development and overview of their assessments. For example, one social worker mentioned that:

"In addition, as a result of experience and follow-up, we know if

the child needs a host family or no; and the evaluation through the assessment and investigation we can know if the child need a host family or extended family.”

The focus of the assessment is usually on violence (violence (psychological and physical violence) and the basic needs (food, clothing, home). If the child is in danger, the case requires a judicial decision to be placed in alternative care. If that is not the case, SOS, for example, will work with the family through the family empowerment program to leave the child with the biological family. The process includes a monthly national pedagogical team meeting where the decision to determine the acceptance or refusal of a child at SOS is always made in collaboration based on the information collected and the assessment.

“The best decision is always to keep the child with his biological family except if there are issues of security or danger.”

The law, the economic crisis and the courts represent obstacles in Lebanon. This is why social workers' main objective remains to keep the child within his family as long as the problems are socio-economic. This approach aims to promote stability and family well-being as much as possible. There are a lot of children that are placed in alternative care because of the economic situation, or to secure their education. There is no law in Lebanon with clear criteria for when the family can put their children in alternative care as in other countries. Religion is also often a barrier in Lebanon since personal affairs are usually governed by religious courts and different religions have different laws. Priests and parents can intervene, but the interest of the child remains the absolute priority. The age of the child is also a determining factor in the decision-making process. It is always easier to place newborns in alternative families. There is a concern that older children are less malleable and therefore difficult to take care of and control.

With respect to the time needed for decision-making, the process takes time, but the exact duration is determined on a case-by-case basis and is contingent on the unique circumstances of each case. For the preliminary investigations, the decision is quick and does not take more than 3 to 4 hours. High risk cases go through the public prosecutor who generally deliberates on the final decision within 24 hours. Sometimes temporary decisions are taken within the limits of legal decisions to guarantee the safety and basic needs of the child. For example, newborns might be taken in at night because they have no one to care for

them. If the child's safety is not at stake, the social worker can take the time necessary to provide a comprehensive assessment and review the situation carefully.

If the case is not urgent, a report is presented to the juvenile court, and they await the juvenile judge's decision. Usually, the delay is between one to two weeks, but the process could extend up to one month. Throughout this time, the focus remains on training and empowering parents while conducting comprehensive assessments.

The training received is mostly not sufficient and requires ongoing coaching to reach a certain level. Unfortunately, in Lebanon, there is no legal framework that regulates organizations working in this field. Some organizations operate within a very clear legal framework and utilize transparent tools while others operate with no legal oversight or regulation. Consequently, each organization is left to operate in the manner it deems appropriate. Those working in alternative family care services within non-governmental organizations, often have partners/funders who require that these organizations undergo training courses of at least four to five days, in addition to collaborating with an older association that provides training services in this field. Furthermore, associations involved in judicial processes related to placing children in alternative care undergo training in this field. It is crucial to have refresher courses every 2 to 3 years, especially since cases vary depending on the context and the current environment. For example, social workers today are faced with new scenarios for which they are not necessarily well-equipped and need guidance on.

In conclusion, social workers find that the Lebanese CP system is poorly organized and suffers from neglect. Reliable official tools for the assessment of the situation of children are scarce and centres that accommodate children in need of alternative care (especially newborns) are lacking, particularly in times of economic crisis. There is a need for diversity in the available alternative care options. There is no proper foster care in Lebanon. These deficiencies highlight urgent needs for reform and improvement of the system to ensure appropriate and effective solutions for children in need of alternative care.

Several issues were raised when asked what items could help the decision-making process. These include:

- Amending Law 422 to ensure adequate care for all children requiring alternative care. The law as it stands is very general and leaves room for personal interpretation. This works out

well in cases that are not typical, where the judges have solutions and do not require much guidance. However, it is important to establish clear and inclusive laws that cover both standard and exceptional cases.

- Revising the personal status laws to enable children transitioning to alternative families to obtain proper identification. For instance, abandoned children that are directly placed into alternative families, without first going through hosting associations, face significant challenges in acquiring legal documents or identification linking them to the alternative family, as per current laws. This process is more manageable through an association because it possesses the legal authority to register abandoned children based on the region where they were found.
- Training judges on the importance of alternative care rather than just emphasizing the procedural aspects of the process.
- Monitoring and holding accountable associations hosting children in alternative care, even in the absence of criminal offenses. Judges need to scrutinize and oversee these associations in all cases including the less challenging ones. Unfortunately, in Lebanon, this aspect is neglected, and no one monitors these associations except in cases of criminality or extreme hardship, leaving less difficult cases unattended with the children paying the price as the most vulnerable link.
- Supporting family empowerment programs to strengthen the family's capacity to care for and provide for their children.
- Diversifying alternative care options, such as foster care, to offer solutions adapted to the specific needs of each child and promote their well-being. Host families are often favoured over other alternatives because they care for the child as if they were part of their own family. A host family is preferable to taking the child to an organization. In Lebanon, in some organization there is violence too. Most families are ready to be host families but generally prefer to take care of newborns.
- Convening a roundtable discussion involving judges and organizations working in the field of placing children in alternative care to address legislative matters and explore areas for development and reforms that will result in better decisions benefiting children and facilitating operations in this field.

2. THE MINISTRY OF SOCIAL AFFAIRS' PERSPECTIVE

Participants from the MOSA confirmed that there are two alternative pathways when it comes to child protection in Lebanon: the social one followed by the MOSA and the judicial

one followed by the MOJ. The latter and the judiciary are under contract with UPEL, that is responsible for helping children who have had conflicts with the law, have witnessed a crime, or have been victims of violence in Lebanon. This includes violence, theft, misdemeanour, crime or endangerment. The children monitored through the MOSA, on the other hand, are cases that fall within the social field, including cases of physical and psychological violence or bullying. The children who need protection are placed in institutions for the protection of minors, while others, such as orphans or children with difficult social problems such as poverty, parental divorce, separation or imprisonment, are placed in ordinary care institutions that take in any child who needs care.

The MOSA contracts out with care institutions of different types, including care institutions for orphans and difficult special cases, care institutions specializing in specific population groups such as single girls, drug addicted children and care institutions for the protection of minors (children below 18 years) at risk. The social workers at the MOSA review all the research that led to the admission of a child in the institutions and, in case it does not exist, they carry out this research, and the file is forwarded to the Welfare Department.

The MOSA works on social intervention using the case management method where each child is placed according to their situation. For example, children are placed in parishes, orphanages, monasteries or with nuns if it is a social case, and in a protection institution if it is purely a case of protection. However, the decision-maker for placing children at risk, who require protection in alternative care, whether in care centres, extended families, or foster families, is the juvenile court. The MOSA does not have this authority.

The MOSA has a specific role related to institutional care. It is solely responsible for placing children in care institutions on an in-house basis, meaning the children sleep in the institution, or on an external basis, which involves daytime care and educational support without the need for an overnight stay at the institution. Children return to their families at the end of the day. This was not the case in the past, as the general trend was to register children in residential care centres where they would live and sleep. Any institution not complying with this would have its contract cancelled, and the child's name removed from the ministry's records. The ministry did not cover the costs of residence or expenses in general. However, over time, this has changed especially after the COVID-19 pandemic. It became evident that there was no need for children to be permanently housed in these centres as

institutions could provide care services for children while they are in their homes, especially with online platforms utilized for educational services. Furthermore, the best interest of the children is generally served by them being within their families, thus the current trend is to place children externally in institutions, where they receive assistance during the day and return home after completing their daily school program. The MOSA bears the costs of services such as food and beverages, among others.

Except for children under three who can be registered at any time of the year, the placement of children in care centres is based on the academic year. In general, parents submit a care request form to one of the approximately 150 developmental services centres affiliated with the ministry present throughout Lebanese territories. Usually, a parent submits a care request to the social worker at the centre accompanied by the necessary supporting documents. These include a health certificate for the child, the death certificate of the deceased parent if the child is an orphan, a document attested by the local mayor to support economic challenges of the family, medical reports to attest for any parental disabilities or health conditions, a statement from the prison in case of parental incarceration and a copy of the family certificate or a birth certificate (for undocumented individuals) to document divorce or abandonment. The MOSA applies a social assessment desk-based evaluation using standardized documents that are used across the ministry and in all its centres. All documents that reflect the social situation of the family and the child are used in the assessment. These consist of a social survey that collects the family situation, monthly income, presence of problems (e.g. divorce). It contains a summary specifying only the reason for the child's placement and his status. Social workers can include in an annex a separate non-standardized document to express their opinion and justify their decisions (e.g. the reason for rejecting the application). Assessment tools differ according to the case (e.g. orphans and difficult cases vs. children at risk or requiring monitoring and protection).

However, this does not replace home visits, but due to the severe shortage of social workers, the evaluation often relies on documents and home visits are rarely done. In most cases, families have a file within the centre or its affiliated clinics which facilitates the application process. Sometimes, the social worker conducts a broader investigation if the documents submitted are unclear. In other cases, children within schools are directed to the ministry by the school administration, and the application is processed through the school's management. In other situations, requests are directly submitted to the ministry, such as

cases involving individuals with specific legal statuses, like unregistered individuals or a child with a Lebanese mother and non-Lebanese father.

After the social workers finalize their investigation, they submit their files to the coordinator and the Youth Protection Directorate. This is followed by a discussion in the Council whereby a decision is made as to whether to place the child in an institution, provided the institution meets the appropriate conditions for the child and if it agrees to accept the child. The MOSA works in collaboration with the institution. Generally, social workers in the institutions are the ones who make the final decision. The process is rapid because family situations usually cannot afford prolonged waiting times. Moreover, all children should be registered before the start of the academic year. The social worker at the centre, usually makes the decision to accept or reject the child upon receiving all documents and completing the application. In some cases, when the social worker needs to conduct an additional investigation into the family situation, the process might require a few more days to gather all the required information. If a parent disagrees, for example in the case of divorce where the father applies to place his children in a care centre, but the mother does not agree, the MOSA has to abide by the law. According to Lebanese law, the father is the legal guardian of the child. Therefore, in such cases the MOSA must comply with the father's decision. However, the mother can file a complaint that will be thoroughly studied with the best interest of the child in mind. Therefore, such a case, might require longer processing time as all parties need to be heard and investigated.

Within the MOSA, there are two other departments that are indirectly responsible for the placement of children namely, the Department for the Affairs of the Disabled and the Department of Specialized Social Welfare. The Department for the Affairs of the Disabled, helps place children with disabilities in external centres where they receive care during the day and return to their families at night. Children should have a disability card (learning disorders do not qualify them as disabled) and the application process is also initiated by the parents. A group of specialists, including social workers, psychologists, and speech therapists, collects information pertaining to the child's disability. They have comprehensive discussions with parents to gather information about their children. They conduct several assessments, including intelligence level testing. Additionally, the social workers collect information about the family including their socio-economic status and any family problems. Home visits are no longer conducted due to the economic situation in the country. If the child

is already enrolled in a specific school, we request a report from the school regarding the child's situation. They do not engage in discussions with teachers. There are no standardized tools or procedures. Decisions issued by the department are written and signed. Once the child is considered eligible and the level of disability is determined they are referred to specialized centres under contract with the ministry. This process could take some time, possibly a month or two. The delays are due to administrative procedures. The centres should be close to the children's homes to allow children to easily go back and forth. The ministry does not have specialized centres. Usually, the department does not have a role in placing a child in alternative care. However, in severe cases, a decision may be made to place the child internally in care centres.

The Department of Specialized Social Welfare, contracts out with associations that specialize in receiving, monitoring, and helping women and girls who are victims or at risk of violence, with or without their children. The majority of those who benefit from this service are women exposed to danger, violence, and those who have no refuge, need shelter or seek protection along with their children. Sometimes, women approach the centre directly without going through the ministry, however, when a woman, or someone else on her behalf, submits a request to the ministry for protection, the social workers at the MOSA interview her, gather all necessary information, and then refer her to one of the associations or centres they contract with. Given the women's situation, the referrals are usually immediate but they could take a day or two. Sometimes the women request more time to arrange their affairs before being transferred to a shelter. The process may take longer if the woman wants to live there permanently. Since the contracted associations, are the ones receiving the women, they do the assessments. The ministry collects basic information aligned with the criteria of the institution to which the woman will be referred since each association has its own eligibility criteria. Typically, these associations focus on taking both the woman and her children as the experience and on-site work have shown that separating a child from their mother is very challenging and has significant psychological consequences. Therefore, associations have decided to always take children with their mothers. Separation is not considered at all for girls and not until the age of eleven for boys.

"The main goal is to protect women, not children. But if the woman is accompanied by her children, our goal is also to secure protection for the children, not just the mother."

Social workers at the MOSA are specialists in the field, hold an appropriate university degree and have completed two years of training courses provided by the ministry. Additionally, most of them have field experience. Training and monitoring are very important. The social workers at the ministry receive a lot of training. Training on evaluation tools is the basis of their work and they learn it at university. They were also trained in child protection policy in institutions. It would be useful, however, to receive training on new assessment tools when available.

The social workers meet with the family and study the requests. They do not have the capacity to intervene to keep the child within their family, which would be their preference. However, when faced with the choice of a child on the street or in an institution, they will opt to place the child in an institution.

"We always take into account the best interests of the child."

All decisions are made in collaboration and based on a review of all available documents with the best interest of the child in mind. Since it is mostly a care and educational service, the decisions are not made by one individual. This makes the process less subjective and gives the decisions made more validity and strength. There is no ideal decision-making situation in Lebanon, but the institutions help support families in their burdens. At the ministry there is a supervisory service responsible for social assistance that acts as a central administration that monitors and makes decisions in the event of a problem. In the past, there was no follow-up, children were continuously registered in the centres from birth until the age of 23 years without considering whether their families' social and economic situations changed over time. Now, this has changed, and children are placed only up to the age of eighteen.

During their stay in care centres, the family's situation is reconsidered if it improves to the point where the children no longer need the ministry's support, it relinquishes its responsibility for the child's care.

"The responsibility returns to the parents, thus alleviating the burden on the ministry."

The institutions must also ensure follow-up as the ministry cannot cope alone with the number of requests that they receive. In cases of protection, there is always follow-up with the institution, the parents, and the child.

There are several factors that are considered during the decision-making process including the nationality of the father (Lebanese) and therefore, the child, whether the father is a state employee and benefits from a state scholarship as well as the age of the child. Moreover, the institution must accept the child and have the capacity to accommodate them. The situation of alternative caregivers and the agreement of both birth parents can also impact decision-making. As for the acceptance or rejection of the child, the MOSA does not interact with the children as the requests are submitted by their parents. As to factors that the MOSA participants believed might help in the decision-making process, they mostly felt that more could be done in terms of the law, the assessment forms used, the training offered to social workers and the information available to them. For example, there is no foster care law in Lebanon now. There is only a decree that is badly in need of updating and developing. Moreover, participants cited the need to update the organizational system within the ministry and the need for better coordination between different ministries, especially the Ministry of Education.

The financial situation and the support that the ministry gives to the institutions greatly affect the process. The MOSA has already worked with UNICEF to modify the assessment form. However, recurrent crises in the country make it difficult to continually develop and improve. Moreover, requests for placing children in internal and permanent care centres have significantly decreased with most requests currently involving external care services, meaning that children do not need to stay overnight in the centres. Therefore, the process has become much simpler, and thus, does not require as many laws or tools and is manageable with the existing resources.

Finally, there is a need for better laws and implementation mechanisms for governing the limited shelters that are available. Most centres are concentrated in the Mount Lebanon governorate while centres in other areas are temporary and do not provide enough services. Work has been done to develop and improve the standards in shelters, especially the requirements in terms of buildings, programs, services, admission criteria, and specialization. Unfortunately, these standards have not been applied yet. Having such

standards would greatly enhance the quality of services provided by the centres.

3. THE JUVENILE JUDGES' PERSPECTIVE

The role of a juvenile judge is to protect any minor who submits (or for whom one is submitted) a request for protection to the court. There are different ways of identifying children in need of protection as they can be referred to the court by NGOs, citizens who send in a claim, or even the children themselves who reach out and ask for protection from danger. All the claims and reports received are given serious consideration by the court. It is certain that all cases of children in alternative care in Lebanon are children who do not have anyone to take care of them or more frequently children whose parents do not want them.

The judge has full authority in deciding whether to place a child in alternative care. For each case received, the social worker conducts an assessment and writes a report with some recommendations. The juvenile judge will study the case and carry out the necessary investigations to confirm the presence of imminent physical or psychological danger to the child. Danger is determined based on article 25 of the most updated juvenile law (422/2002) which is a comprehensive, general law that outlines the criteria by which a judge can determine if the child is at risk of danger or not. The judge makes his decision based on the data collected, article 25 and the Child Right Convention. However, given that the law is vague enough and does not provide for specific cases, this allows the judge considerable flexibility in decision-making.

When a judge opens a file (i.e. when the child is suspected of being in danger), according to law (422/2002), removing the child from their family should be an action of last resort. If possible, children should be left in their environment, because it is their right, the centre of their development and the formation of their personality. Therefore, when judges decide to remove children from their family and place them in alternative care, they must be sure that the source of danger to the child is from within the family. Even in such cases, the first course of action is to try and work with the source of danger to treat and heal. If the final decision is the placement of the child in alternative care, it is not necessarily a permanent decision, and the child can be returned to their family if the danger subsides.

"When we open a file, we pray that the danger will disappear so

we can close the file. So, you achieve the desirable result for the better of the child."

In some cases, however, placing the child in alternative care could be the first/only option available. For example, if the child's parents are unknown, the child must be placed in alternative care. The decision is more on the form of alternative care (organization, centre, monastery, or alternative family) chosen. Alternative families (not extended families) are in 99% of cases provided to newborn babies or children of unwed mothers found without parents.

"I had only one case of a child who was 2 years old and placed in alternative family throughout my career as a juvenile judge."

Before people didn't know that juvenile courts dealt with cases of children without parents, and the children would usually go to a monastery or be put up for adoption. Therefore, few cases made it to the courts and the options for alternative families were limited. Nowadays, there are tens of alternative families available, and they need to be carefully assessed.

Children with known parents are not likely to be placed in alternative families as in most cases the children are over 6-7 years, have a difficult character and are dealing with mental health problems, and this makes it unlikely for them to be accepted in alternative families. Most of the time these children are devastated morally & emotionally and need care and support that no alternative family can provide. Moreover, in some cases the biological parents demand the child back after a while and that causes problems with alternative families. Therefore, it is always a struggle to find alternative care families for them. Usually, they start with the extended family such as uncle, aunt, grandparents, relatives. The problem however is that they are not always able to take care of the child due to health issues, financial issues, familial problems. In such cases there are no options, and the judge cannot force the extended family to accept the child especially when they have valid arguments. In such cases, the judges resort to organizations.

"My standard is the child's best interest."

Therefore, the main factor influencing the decision-making process is the best interest of the child. This is determined by building and carefully reviewing and revisiting a file with

information obtained from different sources. The law requires that social workers from different NGOs that the court works with (like Karama or UPEL for example) fill out a social report in which they collect information on the biological family and the home environment of the child through home visits. It is important to get a sense of whether the family environment is supportive and willing to cooperate in improving the child's situation if that is an option. If necessary, judges might invite the family to the court and have a session with them.

The police are another source of information as they will have information concerning misdemeanours and crimes and judges might ask them for additional investigations on the biological parents when necessary. Depending on the source and intensity of danger, other sources of information could include a physician's report, a therapist's assessment, an interview with someone from the school, or a report from the public prosecution.

Finally, judges will schedule a session with the alternative family to assess their jobs, educational level and obtain appropriate documentation supporting their statements. They might even ask for additional information on the alternative family from the police or a therapist's report on the capacity of the family members to receive and raise a child. Accordingly, an alternative family that can provide the best care for the child on all levels (mentally, emotionally and educationally) is chosen. One judge considered it a plus if the mother is a teacher or unemployed because she will have time to take care of the child. Moreover, that same judge required that the receiving family be childless and requests a physician's report confirming the couple's infertility. There are no standards or specific tools provided by the ministry or government.

"... there are no fixed rules (1,2,3) or process to adapt."

The cases where judges must decide to put a child in alternative care/family are very diverse and there are no specific requirements or conditions. The juvenile judge has the absolute freedom to take any action or measure or to undergo any investigation, all possibilities are allowed. Judges rely heavily on social workers as they play the most significant role in the assessment of the case. However, the judge does not have to adhere to their recommendations, especially if they believe that another decision is more appropriate.

When necessary, children are also placed temporarily or on a more permanent basis in

alternative care organizations that are already licensed by the MOSA and the Ministry of the Interior. All the judges interviewed have expressed that this is usually an option of final resort if they have no other choice as the preference is to have the child placed in a real family that can provide for them rather than organizations that lack that capacity.

"There is a feeling of family connection, love and belonging as well as an understanding of the role of mom, dad, uncle, family love."

Sometimes children are placed in care organizations pending a search for an alternative family and once one is identified the judge will give the family permission to visit with the child under the supervision of the organization who will assess the visit. If all goes well, the family is then given permission to take the child out of the organization for a few hours again under the organization's supervision.

"When children are placed in an organization, we don't let them feel that they are in prison, on the contrary they are free but of course, the organization has its own rules and restrictions."

Judges are not required to assess the suitability of the organizations, but they do follow-up on children who have a protection file and are placed more permanently in these organizations. The child's file remains open as long as the child is in danger, until they are 18 or sometimes even until they are 21 years old, and representatives from the court check-up on them and listen to their complaints. The organizations are investigated when there are claims of sexual/physical child abuse or harassment and there are examples of organizations that were shut down due to the investigation of juvenile judges.

As for the time necessary to make the decision to place a child in alternative care, this varies from case to case based on the complexity of the case and the number of investigations that are required before claims can be confirmed and a decision can be made. This could take on average six to seven months but in fact it could take anywhere between four months to a year. In urgent situations, when the danger is extreme, decisions can be made within a day. In the meantime, while waiting for the final decision, temporary measures might be implemented to mitigate the danger to the child. These could include temporary placement in a care organization, restricting visitation, restricting travel,

Several factors influence the speed of the decision-making process including the condition of the child, knowledge of the parents' educational level and their level of understanding of the child's wellbeing, the presence/absence of DNA tests and the availability of a host family. The decision to place a child in an alternative family takes longer than that of placing the child in a care organization. Decisions are more evident in cases in which the parents are absent or in cases of sexual and physical abuse when there is evidence confirming the allegations. In such situations, the decision can be made on the same day. In terms of training, participants discussed the training of both the judges and social workers. It was thought that in general, judges receive good training at the regional level on the making and implementation of decisions in the best interest and safety of the child. They participate in workshops proposed by the MOJ or other judges on specific topics that deal with legal aspects or the law. However, they do not receive any practical training or engage in any capacity-building exercises on decision-making. One judge suggested that it would be important to understand the practices of international judges, especially ones that are very experienced and knowledgeable in the field.

As for the social workers, although most of the judges were not aware of any specific training that they received, they all agreed that the social workers they collaborated with were competent and trustworthy. They could not identify any gaps in their performance that required additional training but assumed that they were surely receiving some training within their NGOs. In fact, one judge confirmed that social workers are provided with continuous education options to allow them to be well-equipped to deal with different cases and address all issues that might arise.

Remaining impartial is not easy. Judges are affected by the cases they evaluate but they try to maintain their professionalism and objectivity.

"In the end I am a human and I got affected by the cases I deal with, I find myself particularly sensitive when a father is physically abusing a child. But I try to maintain professional and to ensure that my decisions are made objectively and in the best of the child."

Their decisions cannot be simply classified as right or wrong. The judges believe that, given

the information available to them, they are making the best decision for the child at the time. Therefore, in terms of the law, the decision taken is the right one. However, to know if the decision made was actually the right one for the child, its impact on the child will need to be assessed.

"Was this decision beneficial to the child or did it damage him more?"

Biased decisions are avoided by relying on findings from several assessments done by various competent and specialized professionals. Since the file of the child remains open until the danger to the child subsides, decisions can always be reversed given a change of circumstances, particularly if the child is in residential care.

"In the juvenile court nothing is constant, 100%, don't forget we [judges] are dealing with minors, including newborn who are followed until the age of 18. These children undergo development, and their personality and emotions change over time. ... We consider ourselves as the minor's parent and of course our decisions are subject to change as needed."

One of the major challenges in the decision-making process has been the economic crisis in the country that has led to a severe limitation of resources including the shortage of social workers to run the investigations, specialists capable of dealing with children in need of alternative care and suitable alternative care options from which to choose from. Moreover, sometimes, it is difficult to obtain specific information necessary to make a decision while at other times, it is difficult to contact the care organizations who for some reason stop responding or simply disappear. Even when available, these organizations are often full to capacity and have no places for additional children.

Other problems include difficulties in implementing the court's decision because of parental lack of cooperation or delays in notification. The law does not provide judges with the necessary tools to force parents to comply with the court's decision, it just offers them the possibility of imposing fines for non-compliance. Moreover, the process of notification should be in person, not through phone calls or email. However, given the shortage of personnel and official paper, notifications are delayed.

Finally, there is the particular case of children without official documents. Since there are issues with providing children of non-Lebanese parents with Lebanese identification cards, it is better in these cases to try and place children in families that have dual nationalities. Possessing an additional nationality will facilitate the child's paperwork and registration in a different country.

The participants identified several issues that could facilitate the decision-making process including updating the present law, proposing better training and assessment tools, providing more resources and expertise and offering more alternative care options especially in terms of specialized centres. The presence of secular and civil law is essential to propose solutions when faced with cultural traditions and religious beliefs. The law needs to be updated but should remain flexible to allow judges to continue making decisions in the best interest of the children according to the specificity of each case. In the absence of a unified law, different judges can make different decisions for the same case. Judges have also advocated the need to update the execution of the decision so as to enhance the time and effectiveness of its execution.

“Juvenile judges should advocate to up-date the law concerning the decision execution in order to enhance the time and effectiveness of the decision. Otherwise, there is no meaning waiting for months for the execution. When I put an action plan for the minor's benefit, it should be directly applied, and waiting few months would bring me back to the initial point.”

5. Conclusion and Recommendations

The aim of this research was to explore the three following research questions pertaining to the Lebanese context of decision-making on alternative care.

- What does the literature say about the efficacy, subjectivity and objectivity of decision-making undertaken by the social services workforce working within the functioning of the national child protection system, and in particular, decisions to remove a child from parental care and place them in alternative care in Lebanon?”
- What are the factors that influence social services workforce decision-making in Lebanon?
- What are the main findings and recommendations?

To answer these research questions, the study team undertook a systematic review using search terms focused on the objectivity/subjectivity and efficacy of decision-making in child protection from the perspective of different stakeholders within the Lebanese CP system as well as 12 semi-structured interviews with key stakeholders.

Findings suggest that there is a paucity of scholarly literature on the topic of alternative care and more specifically decision-making in alternative care in Lebanon. Rather, available sources consist mostly of reports on the CP system and SOPs in the country or on the activities of international NGOs actively focused on children such as UNICEF and Save the Children. Although some of the sources highlighted the steps, decision-makers, and tools involved in the decision-making process, none directly discussed the objectivity vs. subjectivity of the decision-making or its efficacy. Of interest in the Lebanese context are sources that discuss the role of the religious courts and their alienation in the current system. Only one report specifically addressed residential care centres and two others have a whole chapter or section on them.

In essence, there are two pathways for decision-making on alternative care in Lebanon based on whether the child is in imminent danger and therefore in need of removal from the family for protection, or at risk of danger and hence considered a social case. Regardless of the pathway, all parties claim to make decisions for the children that are in the children's best interest. However, the judges and concerned parties at the MOSA who are solely responsible for decision-making on alternative care do not meet the children and in fact base their decisions on the compiled information and recommendations provided by the social workers on the ground. The latter are in contact with the children, the families (both biological and alternative) as well as care organizations and deliver their recommendations based on their observations using non-standardized tools that vary by organization and the SOPs provided by the MOSA. Recommendations that are provided by the social workers are carefully taken into consideration in the final decision.

By law, social workers have a limited role in the actual decision-making process. In protection matters, the judges have the sole responsibility while in social cases it is the MOSA that decides whether they want to sponsor the children or not. Final decisions are made in alignment with a couple of articles in a general, non-specific law (422/2002) and a file consisting of social workers' assessments of the child's condition age and consent as well

as the family's socio-economic situation, psychological evaluations, and police records. Other considerations include the potential alternative care options such as the availability of extended family capable of receiving the child, the receiving family's socio-economic conditions, psychological evaluations and police records as well as the capacity of care organizations to receive the child.

Participants all agree that the decisions are made objectively based on the gathered information and in the child's best interest. Participants are also convinced that their decisions are objective since they are made based on documents but more importantly because they are collaborative decisions that are not made by one single person. Social workers use the SOPs, but admit to relying on their instincts and experience as well. The judges also confirm that they trust the social workers' assessments as they have confidence in their knowledge and previous experience in the field. As for the judges, the law allows them some leeway in their decision-making whereby they make use of their personal experiences to make their decisions. That is why different judges might reach different conclusions for the same case. For the social workers, since more than one person is involved in making the decision, then it has to be objective and more importantly it is assumed to be correct. Moreover, since the social worker has the best interest of the child in mind, they cannot allow themselves to be influenced by other factors. However, it is not clear what "the best interest of the child" consists of for the different parties or more importantly how that is assessed. All parties seem to agree that the best interest of the child is to remain within the biological family or if that is not possible within a family. Care associations are only used as a last resort when no other options are available to the child.

Participants appear to hold different views as to whether or not the right decisions are always taken. Since social workers do not make the final decisions, they are less vocal about whether it is the right one to make. They do however mention that their recommendations are not binding and that the judge does not necessarily need to abide by them. They also point to some instances where they challenged to decisions of the court when they felt it was not in the best interest of the child. The judges, on the other hand are more confident of their decisions. For the judges, there is no right or wrong decision; it is more about making the appropriate decision given the available information. Since the decisions can always be reassessed and reversed when new information surfaces, they are confident that their decisions are the right ones for the time being.

Furthermore, there were some concerns from all participants about whether social workers, the MOSA concerned personnel and judges are receiving sufficient training and have sufficient tools and resources to help them make the right decisions. Judges are not sure about the level of training that the social workers receive but they believe that the social workers are competent and well trained on the task of doing assessments. Given that the judges' decisions are based primarily on the social workers' assessments, they have to have confidence that the social workers are doing their jobs properly. The MOSA believes that the social workers receive good training at university but need refresher training on new tools and procedures. Social workers also voiced some concerns about the level of training received by various parties concerned and have suggested the need for better communication and collaboration between the stakeholders by advocating for a round table discussion among them.

In conclusion, a few recommendations can be made based on the findings of this report. These include:

- Proposing a continuous rather than punctual and case related process.
- Developing inclusive and adapted laws that are not open to individual interpretation and loopholes.
- Ensuring the availability of resources to support the process including social workers, specialists and suitable alternative care options.
- Establishing means to secure better control of alternative care options by the state.
- Unifying the tools for the assessment of the child's situation used by different social workers and NGOs.
- Offering better training for all decision-makers.
- Promoting better communication among decision-makers by providing opportunities and mechanisms for discussion and collaboration.
- Developing an algorithm for determining the "best interest of the child".
- Raising awareness especially among the population and at an early age.

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Appendix 1

Research on the decision making and placement of children in alternative care Research Guide: Professionals working in the child protection system

Aim of the research: To understand **how decisions are made** when separating a child from parental care and placing them in alternative care and **what influences that decision making**

Definitions: Separation from parental care. In our research we are following the UN Guidelines for the Alternative Care of Children that defines separation from parental care and placement in alternative care. We are investigating the formal process of this separation i.e. undertaken with the involvement of the key people from a State or other authorised body e.g. a social worker or equivalent and/or judge etc.

If a child is not living with their parents but with extended family they are considered to already be in alternative care (sometimes known as kinship care). This might have been an informal arrangement i.e. a private agreement without anyone from a State or other authorised body having been involved. However, if someone from an authorised body was involved this is formal care.

Who do we interview?

For our research we are investigating the people who make the decision to separate a child from parental care and place them in alternative care. These are people who work in the country's **formal** child protection system i.e. someone from an authorised body such as a social worker and/or judge who take the decisions.

At the start of the interview:

- Introductions
- Brief explanation of the research and focus on decisions whether a child should be removed from parental care and placed in alternative care (including explanation if necessary of any terminology)
- Explanation of use of the information collected e.g. added to a multi-country report looking at reasons children are placed in alternative care with a view to sharing the findings - hoping it will provide evidence for SOS Children's Villages International and shared with Governments and other agencies to support development of their work to prevent family separation
- Giving the interviewee another copy of the Information Sheet - explaining everything they say will be anonymous and asking if they have any questions
- Providing the Consent Form to sign – (checking you can record the interview)

	Questions
1.	Please can you tell me about your role in deciding whether a child should be placed in alternative care

2.	<p>Please can you tell me what information you use to help you make this decision and how you collect this information</p> <p>(Note for researchers: i.e. content of assessments/ home visits/discussion with parents, children, teachers etc.)</p>
2a.	<p>Follow up question if not answered during question 2– is there a formal assessment tool you use that is provided by the government/ministry you work for and if so, is it adequate to collect all the necessary information to base decisions on</p>

3.	<p>Please can you tell me how you analyse the information you collect and use it to make a decision</p> <p>(Note for researchers: i.e. what sort of analytical process do they go through to understand the information they have gathered and use to base their decision on/ do they understand risk thresholds/ is their decision making intuitive/ to what degree is their decision making subjective or objective?</p>
4.	<p>Who else has a formal role in deciding to place a child in alternative care and what do you think they base their decisions on?</p> <p>(Note for researchers: IF POSSIBLE, THIS QUESTION IS TO TRY AND FIND OUT MORE ABOUT THE OBJECTIVITY OR SUBJECTIVITY OF DECISION MAKING e.g. what might be the things that bias and influence their decision making e.g. personal background/ culture/religion/socio-economic standing/years of experience etc.)</p>
5.	<p>How quickly does it take to make a decision to place a child in alternative care?</p>
6.	<p>Overall do you think the training for the people such as yourself (e.g. social workers/judges etc.) is sufficient and helps them with the confidence to make the right decision for a child e.g. whether they should go into alternative care or not?</p>
7.	<p>Is there anything else that might affect someone's decision making?</p> <p>(Note to researchers: e.g. the law/ availability of resources/ time/ support from supervises/ work load/persuasion of alternative care providers) Again this might be about personal bias/objectivity and subjectivity. However, they may have already provided this information in other answers</p>
8.	<p>Overall, do you think the right decisions are always made when deciding whether or not to place a child in alternative care?</p>

9.	ADDITIONAL QUESTION IF THERE IS TIME: Is there anything that could help people who have to decide whether or not to place a child in alternative care to make the best decisions possible? (e.g. better laws, better training, better assessment tools)
10.	Is there anything else that you would like to add? THANK YOU

Appendix 2

Research on the decision making and placement of children in alternative care Participant Information Sheet

SOS Children's Villages International is conducting a study on decision making in relation to children's placement in alternative care in your country. This research will be conducted by PLEASE INSERT YOUR NAME.

We would like to invite you to participate in this research. We hope this Information Sheet will provide you with more details of the study so you can make an informed decision about participation.

Please do not hesitate to ask any questions or, to request any additional information you might need before deciding whether or not to participate.

1. What is this study about?

This aim of this study is to gain an understanding of how decisions are made in relation to the placement of children in alternative care. The findings will contribute to a report on decision making in Lebanon. Findings will also contribute to a four-country study that includes research in El Salvador, Denmark, Kenya and Lebanon. All reports will be developed with the aim of sharing conclusions with key stakeholders.

2. Why you have I been contacted?

You have been contacted because of your professional knowledge, interest and understanding of decision making in relation to placement of children in alternative care in your country.

3. What would my participation include?

We are requesting your participation in an interview. The interview will be about your professional knowledge in relation to decisions about children and their placement in alternative care. The interview should last no more than one hour in total.

4. How do I give my consent?

Before the interview you will be provided a consent form to read. It will contain questions

about your willingness to participate. If you are happy to go ahead with the interview, you will be asked to kindly sign the form. It is fully your decision whether or not to take part in this study and you will be able to withdraw from taking part at any time before any final reports are written without giving any reason. If you give your consent to participate you can also choose whether or not to answer particular questions during the interview.

6. Confidentiality

All the information you provide during the interview will be kept fully confidential unless details are provided of a child who is at risk of significant harm. The information you provide will be anonymised in any reports and other publications and you will not be identifiable.

If you provide your consent, the researcher would like to digitally record the interview. If you would prefer we do not digitally record the interview, we will ask if we can take written notes. Copies of the interview transcripts will be shared with the International Lead Researcher, Dr Chrissie Gale based in the UK who has responsibility for developing the consolidated four country report.

All data will be kept electronically in password protected files Your consent form will be kept in a separate coded file so that it cannot be linked to the information gathered in the interview.

If you have any questions about our research, please do not hesitate to ask.

Thank You.

Appendix 3

Research on the decision making and placement of children in alternative care Consent form

Thank you for agreeing to help us with the SOS Children's Villages International study on decision making in relation to the placement of children in alternative care. We are delighted you agreed to participate in an interview.

Before you read this consent form, please make sure you have read the project Information Sheet and ask any questions you may have.

This form is to ensure that everyone taking part in the study fully understands the following: I understand:

- The study is about decision making in relation to placement of children in alternative care.
- All the information I provide will be confidential, except if information suggests that someone may be at risk of harm.
- The information I provide may be used in the study reports but any contribution I provide will be anonymised.
- My participation is completely voluntary and I am free to withdraw as a participant at any time.
- The information I provide will be stored safely on computer systems or in locked cabinets. The researchers will keep the information securely for a period of three years to allow for the completion of the study.
- I can withdraw my information from the study before any reports are published and there will be no consequences for me.
- What my participation involves, and how the information I provide will be used.

I agree to take part in an interview with a researcher

I agree to the interview being recorded

I agree to my data being anonymised and used in any project reports

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

I have read the Information Sheet and understand this consent form. I have been able to ask questions and I agree to take part in the study.

Name: _____

Signature: _____

Date: _____

Country: _____