

CHAPTER 2

What Are the Philosophical Tenets of Child Protection?

The importance of the family in U.S. society is central to the Nation’s history and tradition. Parents have a fundamental right to raise their children as they see fit, and society presumes that parents will act in their children’s best interest. When parents do not protect their children from harm and meet their basic needs—as with cases of child abuse and neglect—society has a responsibility to intervene to protect the health and welfare of these children. Any intervention into family life on behalf of children must be guided by State and Federal laws, sound professional standards for practice, and strong philosophical underpinnings. This chapter presents key principles underscored in Federal legislation and the philosophical tenets on which the community’s responsibility for child protection is based.

KEY PRINCIPLES OF CHILD PROTECTION

The key principles guiding child protection are largely based on Federal statutes, primarily delineated in the Child Abuse Prevention and Treatment Act (CAPTA) and the Adoption and Safe Families Act (ASFA). CAPTA, in its original inception, was signed into law in 1974 (P.L. 93-247) and is reauthorized by Congress every 5 years. As of the publication of this manual, CAPTA is in the

process of its latest reauthorization. ASFA was signed into law in 1997 (P.L. 105-89) and built upon earlier laws and reforms to promote the safety and well-being of maltreated children. These laws and other guiding legislation are referenced throughout this publication and are specifically discussed in “Federal Legislation and Programs” in Chapter 8. ASFA promotes three national goals for child protection:

- **Safety.** All children have the right to live in an environment free from abuse and neglect. The safety of children is the paramount concern that must guide child protection efforts.
- **Permanency.** Children need a family and a permanent place to call home. A sense of continuity and connectedness is central to a child’s healthy development.
- **Child and family well-being.** Children deserve nurturing environments in which their physical, emotional, educational, and social needs are met. Child protection practices must take into account each child’s needs and should promote healthy development.

In addition, ASFA underscored the importance of accountability of service delivery systems in achieving positive outcomes for children related to each of these goals.

PHILOSOPHICAL TENETS

The following philosophical tenets expand upon the principles set forth in ASFA and the values that underlie sound practices in community responses to child abuse and neglect:

- **Prevention programs are necessary to strengthen families and reduce the likelihood of child abuse and neglect.** Child maltreatment results from a combination of factors: psychological, social, situational, and societal. Factors that may contribute to an increased risk for child abuse and neglect include, for example, family structure, poverty, substance abuse, poor housing conditions, teenage pregnancy, domestic and community violence, mental illness, and lack of support from extended families and community members. To reduce the occurrence of maltreatment, communities should develop and implement prevention programs that support children and families.
- **The responsibility for addressing child maltreatment is shared among community professionals and citizens.** No single agency, individual, or discipline has all the necessary knowledge, skills, or resources to provide the assistance needed by abused and neglected children and their families. While public child protective services (CPS) agencies, law enforcement, and courts have legal mandates and primary responsibility for responding to child maltreatment, other service providers working with children and families—along with community members—play important roles in supporting families and protecting children. To be effective in addressing this complex problem, the combined expertise and resources of interdisciplinary agencies and professionals are needed.
- **A safe and permanent home is the best place for a child to grow up.** Most children are best cared for in their own families. Children naturally develop a strong attachment to their families and when removed from them, they typically experience loss, confusion, and other negative emotions. Maintaining the family as a unit preserves important relationships with parents, siblings, and extended family members and allows children to grow and develop within their own culture and environment.
- **When parents (or caregivers) are unable or unwilling to fulfill their responsibilities to provide adequate care and to keep their children safe, CPS has the mandate to intervene.** Both laws and good practice maintain that interventions should be designed to help parents protect their children in the least intrusive manner possible. Interventions should build on the family's strengths and address the factors that contribute to the risk of maltreatment. Reasonable efforts must be made to maintain child safety and keep the children with their families except when there is significant risk to child safety. Referral to court and removal of children from their families should only be done when it is determined that children cannot be kept safely in their own homes.
- **Most parents want to be good parents and have the strength and capacity, when adequately supported, to care for their children and keep them safe.** Underlying CPS intervention is the belief that people have the strength and potential to change their lives. Professionals must search for and identify the strengths and the inner resiliencies in families that provide the foundation for change.
- **To help families protect their children and meet their basic needs, the community's response must demonstrate respect for every person involved.** All people deserve to be treated with respect and dignity. This means showing respect for a person, while not necessarily approving or condoning his or her

actions. In addition to caregivers and children, service providers should demonstrate respect for mothers, fathers, grandparents, other family members, and the family's support network.

- **Services must be individualized and tailored.** While people may have similar problems, there are elements that will vary from family to family. In addition, each family's strengths and resources are different. The community's response, therefore, must be customized to reflect the particular circumstances, strengths, and needs of each family.
- **Child protection and service delivery approaches should be family centered.** Parents, children, their extended families, and support networks (e.g., the faith community, teachers, health care providers, substitute caregivers) should be actively involved as partners in developing and implementing appropriate plans and services to reduce or eliminate the risk of maltreatment. Tapping into the strengths and resources of a family's natural support network is fundamental to enhancing family functioning.

- **Interventions need to be sensitive to the cultures, beliefs, and customs of all families.** Professionals must acknowledge and show respect for the values and traditions of families from diverse cultural, ethnic, and religious backgrounds. To become culturally competent, professionals must first understand themselves and the effects of their own background on their values, behaviors, and judgments about others.¹ In working with children and families different from themselves, professionals need to be aware of the context of the family's culture and background in order to help provide access to culturally relevant services and solutions.
- **To best protect a child's overall well-being, agencies must assure that children move to permanency as quickly as possible.** Along with developing plans to facilitate reunification of children, agencies must develop alternative plans for permanence from the time the child enters care. For those children who cannot be safely reunified with their families, timely efforts must be made to ensure a stable, secure, and permanent home for the child through adoption or other permanent living arrangements.