

Termination of Parental Rights as a Reason of Social Orphanhood in Russia

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Abstract: The study presents the results of a sociological survey, conducted in 2016 in the framework of the research project "life trajectories of children and their biological parents, restored their parental rights" in Belgorod, Saratov regions and the Trans-Baikal region. The purpose of the survey (expert individual interviews, N = 25) is to analyze the conditions of social orphanhood as a reason of termination of parental rights. The main conditions were the following: neglect; shifting responsibility for the childcare to relatives and other people because of the labor migration; the reduction in the number of social services for families and children; the reorganization of rural schools.

Key words: Orphans, children without parental care, termination of parental rights, the restoration of parental rights, Russia

INTRODUCTION

Orphanage is one of the most urgent problems of modern childhood, the solution of which requires prompt and effective action by State and society. Despite the fact that, since 2006, the number of identified orphans and children left without parental care has been gradually reduced every year (2010-93,806; in 2011-82,117; 2012-74,724; 2013-68,770 in 2014-61,621)(1), nevertheless the problem of child abandonment remains alarming throughout Russian society.

Literature review: The literature review of works, written by contemporary Russian sociologists Dementieva (2000), Astoyants (2007) and Osipova (2009) for the most part focused on the study of children left without parental care, living in residential care or various forms of family foster care. The researchers identify factors of social disadvantage families with children, including substance abuse; neglect; poverty; high level of unemployment; the role of public social services in addressing the problem of children and families in needs.

Thus, the main focus of the majority of studies is made on children as victims of dysfunctional families. The

issue of causes and conditions contributing to the emergence of new portion of children left without parental care every year; the correlation between social, economic, cultural factors and termination of parental rights; the legal and social barriers during the procedure of restoration of parental rights and the parent-child relationships after reunification are extremely poorly represented in domestic contemporary sociological discourse with the exception of the researches made by Kozlova (2009) and Gurko (2013).

Some foreign researches Hien and Honeyman (2000), Meyer *et al.* (2010), Calhoun *et al.* (2015) Messina pay particular attention to the association between Substance abuse Disorder (SUD) and termination of parental rights as well as the involvement of their children in child welfare system.

According to Hong *et al.* (2014) boys and African-American children are over-represented in the child welfare system in comparison with girls and White children. Marcenko *et al.* (2000) found that parents with substance abuse have high risk of losing their custodial rights. Smith *et al.* (2007) that children, whose parents have SUD more often experience out-of-home care placement.

MATERIALS AND METHODS

In order to study the causes and the social conditions that lead to the growth of social orphanhood and as a consequence, the termination of parental rights in 2016 in Belgorod, Saratov regions and the Trans-Baikal region was conducted a survey "life trajectories of children and their biological parents, restored their parental rights". The survey was made with the financial support of Russian Foundation for Humanities, project No 16-03-00057. The main method of research is semi-formalized expert interviews (N = 25) which included the representatives of guardianship authorities, social services, commissions on juvenile affairs, judges, attorneys, who are involved in solving problems of children left without parental care in these regions. The experts were met the following criteria:

- The experience of work with families at risk is not <5 year
- Higher professional education (master's degree)
- The presence of the highest category (or its equivalent)
- Age at least 30 year

The average experience of working with families and children experts have was 13.7 year. All interviews are made on the working places of the participants and the duration of the interview was 2.5 h on average.

RESULTS AND DISCUSSION

Termination of parental rights under Russian law is the last resort to protect children's rights. Over the past 5 years there have been the downward trend in the number of parents, whose parental rights have been terminated (2010-64584; 2011-58891; 2012-52206; 2013-46,753; in 2014-42,532) but the increase the number of parents, whose parental rights have been limited (2010-7857; 2011-8451; 2012-8827; 2013-9067; 2014-9143) (Federal State Statistics Service, 2006).

The study identified the conditions that trigger the appearance of children left without parental care, among which experts point out, firstly, low socio-economic standard of living, particularly in rural areas; unemployment; forced mass labor migration into megacities that encourages the spread of latent social orphanhood:

"The social situation in families is unstable, because of this, children are left without adult supervision... Some parents are making money and they do not have time, the others are not earning money, they are spending them on themselves, on alcohol... As a result, neglect and as a consequences-termination of parental rights" (Head of the Department of social services families and children, Belgorod region). "Now many parents are leaving for work, especially mothers and then they simply lose their children. They do not understand the scale of the disaster which can grasp them after they return" (Head of the Department of custody and guardianship, Trans-Baikal region). "A lot of children live in families where parents are leaving to work in Moscow. Returning back, parents clutching his head and do not understand why they have such a big problem" (Vice Director of social services for families and children, Saratov region)

According to experts there is the hidden social orphanage in all regions studied. Moreover, the research recorded the appearance of a new form of legal relationship between parents and other people (relatives or not) engaged in the child caring when parents leave for work, without notification of custody and guardianship a notarized power of attorney for the child:

"They (parents, note) leave children often without any formalities ... now we can even make a warrant to a child with a notary: "I trust my child to...". I am not sure it's legal but we are having such a girl in our residential care now" (Vice Director of residential care, Saratov region). "Many parents enjoy the fact that there are responsible grandmothers, aunts, uncles which can bring up the child. They just move away from responsibility, blaming their duties and then even worse, they are eliminated from the training and there are a lot of such families now" (Legal counsel, the center of social assistance to families and children, Belgorod region)

Secondly, experts claim the negative impact of reducing social service system on identifying and helping children and families at social risk; shelving solutions situations, delaying the process of determining the social status of the child which has a negative impact on his future path in life:

“I think that this is bad... specifically for children left without parental care, because due to the crisis in the region, due to the lack of funding of all institutions, not just the social sphere, every single municipality, each separately taken area are trying to solve the problem on their own” (Head of the Department of implementation of social rehabilitation programs, shelter for children in need, Trans-Baikal region). “I think that the number of children left without parental care was not smaller and the situation has not been improved in families for the last several years, they have been identified less... due to reducing the staff of social services and other professionals” (Employee of the Department of custody and guardianship, Saratov region)

The downsizing of social service institutions and organizations, especially in rural areas, the reorganization and closing of ungraded small rural schools; the increase of the distance between school and the place where children live, lead to the inability to identify the families in trouble at an early stage in order to give them properly services and support that eventually leads to the deepening the family crisis and as a consequence, putting children in out-of-home care and termination of parental rights:

“When children are brought to a school from different nearby villages by bus, teachers do not know what is happening in their families. Small schools were eliminated that’s why now many of the families at risk fall out of the supervision of the schools and social services of their own villages. Those teachers will not go far away from 7 km to the farthest village... The distance is increasing and the control is losing” (Social teacher, Saratov region)

The expert poll revealed the inequality in access to social resources of rural and urban families in difficult situations or at social risk. The main barriers were the following: poor access to social services, pedagogical or legal counseling due to the lack of qualified specialists; the lack of infrastructure (poor transportation, bad roads, low level of education in rural schools, inadequate health care, poorly presented cultural establishments) which increases the risk of child abandonment, neglect, parents substance abuse in rural areas much more often in comparison with urban households, where the interdepartmental interaction inside the Prevention of Child Neglect and Juvenile Delinquency System is well presented.

Thirdly, the transition to per capita funding of educational institutions; the need to preserve jobs, to keep the payment for staff, to cover various costs, all these factors lead to the spread of latent orphanhood due to long stay of families and children in difficult circumstances, negatively affected on their physical, intellectual and moral development with which they cannot cope alone, without any professional support.

Fourthly, parent substance abuse is one of the main predictors for destroying the normal family functions. According to Martovytska (2014), the main reasons of placing children in out-of-home care (mainly in institutions) in Ukraine are parent’s alcohol substance abuse, family financial distress and neglect, in comparison in Great Britain the main factors are neglect, emotional and physical violence.

These research findings indicate that parent substance abuse is the leading factor associated with the social orphanhood that prevents them from adequate parenting and increasing the risk for their children to be removed from their homes and placed in institutions and as a result, it can lead to termination of parental rights. According to experts, almost all of them believe that the Prevention of Child Neglect and Juvenile Delinquency System is eager to help and support parents, who are at risk of losing their parental rights or have already lost them: “The difficulty is to establish a way of life and stop drinking. The Prevention of Child Neglect and Juvenile Delinquency System is ready to assist a parent if he/she wants to return the custody of their children. The problem is in parent’s individuality, in an inability and unwillingness to change his/her life” (Head of the Department of custody and guardianship, Belgorod region). “They (parents, note) must stop drinking but it is difficult for most of parents, for some is simply not possible” (Legal Counsel from the Shelter for minors, the Trans-Baikal territory).

Parental substance abuse is an international problem. According to the 2013 National Survey on Drug Use and Health (NSDUH) in the USA 21.6 million persons aged 12 or older were classified with substance dependence or abuse in the past year, 14.7 million had dependence or abuse of alcohol; whites were more likely than other racial/ethnic groups to report current use of alcohol (57.7%).

A handful of studies have shown a strong association between substance abuse and improper parenting practices. Parents who engage in substance abuse are more likely to use harsh disciplinary methods such as spanking or hitting the child with a belt than those who do not. Also parental substance abuse can leave children at risk of being neglected whereby

the parents fail to take care of their basic needs (Calhoun *et al.*, 2015; Hien and Honeyman, 2000; Meyer *et al.*, 2010; Stanger *et al.*, 2004).

British researches Berlin *et al.* (2011) found that the mothers who were abused during their childhood are at risk of developing inadequate supportive friendships, romantic partners, social networks, all of these are not allowed them to protect their own children. In Suchman *et al.* (2006)'s study was found that mothers who perceived their own mothers as uncaring and intrusive were more likely to have lost custody of minor children.

CONCLUSION

Thus, the expert survey revealed the most common conditions that contribute to the preservation and dissemination of social orphanhood in Belgorod, Saratov regions and the Trans-Baikal region: the deepening of family crisis, the inability of families, especially in rural areas to get professional help to solve their problems due to reducing the Prevention of Child Neglect and Juvenile Delinquency System as a whole; reorganization of rural schools; poverty, unemployment, mass labor migration to cities; loss of control over the families at social risk which ultimately lead to worsening of family social and economic problems, the withdrawal of children from the family, the growth of children left without parental care.

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