

Permanent eller tillfälliga placeringar?

– Om lag och verklighet vid flyttningsförbudsbestämmelsens tillämpning

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Abstract

The study comprises all the children in Sweden who, between 1st January 1982 and 30th June 1984, were the subject of a court ruling in accordance with para 28 of the Social Service Act. The local Municipal Social Service Committee had determined that it was in the children's best interest that they remain in foster home care.

The main aim of the study was to investigate which factors the court regards as important when deciding whether to prohibit biological parents from removing their children from foster care. A second aim was to follow up what happened to the children in the long term after the court had made its ruling. A third aim was to interview the now adult children about how they regard their childhood.

In reaching its decisions the courts were guided by the principles of 'temporary care' and 'reunion with the biological parents'. Because the courts stereotypically applied the reunion principle, it was not possible to predict or explain their rulings on the basis of the child's actual situation.

In actual practice, however, the children usually remained with their foster parents regardless of the court's decision. These children's childhood was stable and secure. The children who had been reunited with their parents usually moved back to the foster home. The children who had been returned to their parents' home and remained there had the most unstable and insecure childhood.

In the interviews, the adult children described their childhood in the foster family in positive terms. As children they regarded the foster parents as their parents and now, as adults, it is the foster parents to whom they turn in times of good fortune or adversity.

The parent-child relationship deteriorated in those cases where the court gave the parents permission to remove their children from foster care and it improved when the court enforced the prohibition.

The largest group in the material are the children who had a stable and secure childhood in the foster home and a relatively calm relationship with their biological parents with contacts on a regular basis.

The interviewees believed that their childhood would have been easier had the courts and the social workers paid more attention to their best interests as children when making their decisions. The interviews show that children are able to form strong emotional ties with their foster parents and that the relationship between the child and the foster parents is especially good when there is a minimum of conflict with the biological parents.