
CRISS-CROSSINGS OF PSYCHOLOGICAL PRACTICE IN ADOPTION PROCESSES: PRELIMINARY RESULTS OF A FIELD STUDY IN ARGENTINA

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Abstract

Psychologists have acquired an increasingly significant role in the field of child protection in Argentina. Particularly in regard to their participation in the adoption system, psychological reports and interventions have taken great prominence when an exceptional protection measure of family separation is decided or when the adoptability status of a child is under consideration, among other instances. The increasing incidence of intervention by psychologists makes it necessary to analyse the factors that infuse the practices conditioning professional criteria. From a mental health perspective, it is necessary for professionals in the area to be able to provide a reading of the subjective aspects at stake. Based on this, we reflect on the importance of articulating both the children's rights field and the field of the individual subject involved in each case.

This article presents some results of PhD field research conducted in Buenos Aires, Argentina, by analysing qualitative interviews and the retrieval of information from legal files collected from a Civil Court and from several institutions related to the adoption system. It examines various institutional and discursive criss-crossings that affect the work and the viewpoint of psychologists in this area of their activity.

Keywords: adoption; ethics; institutions; psychology; subjectivity.

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[A] INTRODUCTION

This article addresses a question about the roles of psychologists in adoption processes. As a legal institution that establishes filiation, adoption links two different discursive fields: the field of children's rights and the subjective field. At this intersection, the role of psychologists is relevant in the different stages of the adoption process which, in Argentina, go from family separation decisions until the moment a new filiation bond is established through a legal act. Considering the specific reading of subjectivity that psychologists can provide in each case, the central research question is aimed at elucidating the factors that may affect their particular criteria, as well as the general criteria based on the children's rights perspective.

The new Argentine Civil and Commercial Code 2015, Article 594, defines the concept of adoption as:

A legal instrument whose purpose is to protect children and adolescents' right to live and develop in a family that provides care in order to meet his/her affective and material needs, when these cannot be provided by the biological family. The adoption is granted only by means of legal judgment and confers the adoptee the status of son/daughter, in accordance with the provisions of this Civil and Commercial Code.

Currently, in Argentina, the legal declaration of adoptability of children and adolescents is preceded, in most cases,² by a legal procedure to separate the child from his/her parents. It is understood that this intervention constitutes an *exceptional protection measure*, according to sections 39, 40 and 41 of the National Law for the Protection of Children and Adolescents' Rights (Law 26,061, Argentina 2005). This law focuses on the rights of children and adolescents, the administrative bodies for their protection, and the protective interventions that must be implemented if the rights of children are violated or in jeopardy. In this context, the exceptional protection measure is the most radical option, since it assumes that other interventions have been carried out beforehand and did not result in the protection of rights. The National Law defines the *exceptional measures*, as follows:

Exceptional measures. These are the measures adopted when children or adolescents are temporarily or permanently deprived of their family environment, or it is in their best interests not to remain in that environment. The goal is that the subject preserves or recovers the exercise and enjoyment of his/her infringed rights, and that those

² Other situations in which the adoptability of a child would be declared occur when he/she has been abandoned and his/her filiation cannot be determined, or when the child's parents have died and his/her birth or extended family is unknown or are unable to take care of him/her.

violated rights are satisfactorily repaired. These measures are limited in time and can only be extended while the causes that gave rise to them persist (Law 26,061, section 39).

In cases in which the cause that triggered this intervention cannot be reversed—and therefore the child cannot return to his or her biological family, and there are no extended family members capable of caring for the child—adoptability shall be declared.

In this regard, a survey conducted by UNICEF (United Nations Children's Fund, originally known as the United Nations International Children's Emergency Fund) in Argentina established that the procedure of family separation generally is initiated by the violation of children and adolescents' rights, including family violence, abuse, neglect, child labour and so on (Ministerio de Salud y Desarrollo Social de la Nación & UNICEF 2018, 2022). This information is relevant, since family separation, as an exceptional protection measure, takes place, as a necessary antecedent, in the adoption process of children and adolescents.

Once the court has come to a decision to pronounce the adoptability status of a child or adolescent, the search in the Unique Registry of Aspiring Guardians for Adoptive Purposes begins, first in the registry from the place where the child lives and, if there is no matching result, the search will be extended to the other provincial records (Article 613 of the new Civil and Commercial Code 2015).³

As an institution, adoption consists of a long string of professional and institutional interventions towards children and their families of origin. It is during this process, in a variety of roles, that mental health professionals intervene at different stages. On this occasion, we will analyse some aspects that feature in the practice of psychologists who work in this very particular field that can affect, not only psychologists' point of view about a particular situation (Salomone 2017), but also the circumstances surrounding the legal procedure to separate a child from his or her parents and the criteria that support its enforcement, sometimes impinging on the framework of children's rights present in the spirit of current legislation. In addition, some factors that are not usually included in such studies, but are nevertheless valuable for a comprehensive understanding of the problem, have also been identified.

³ Election of the guardian and intervention of the administrative body. The judge who declares the adoptability status of a child selects the intended adopters from the list sent by the Registry of Aspiring Guardians for Adoptive Purposes.

[B] PSYCHOLOGICAL PRACTICE IN ADOPTION PROCEDURES—THE READING OF SINGULARITIES

Psychologists work in a variety of institutional spaces that comprise the child protection system. In Argentina, particularly with regard to adoption processes, psychologists can intervene through different pathways, for example as members of the technical teams from various government offices,⁴ as well as mental health crew in hospitals or other organizations for the protection of children's rights (in the form of non-government organizations). Their interventions often consist of assessments, recommendations and reports about the violation of rights that a child or adolescent could be suffering and requesting the enforcement of protection measures.

Not only in relation to protection measures, but also in the subsequent stages related to the adoption process itself, psychologists play significant roles. For instance, once the adoptability of a child or adolescent has been declared, they are involved in performing assessments of prospective adopters and choosing the most appropriate families to adopt the children in question.

But what about the child's feelings during this process? Based on actual cases analysed in the fieldwork, it is worth noting that, on occasions, the child involved can face conflicting feelings—contradictions between the desire for a new family and the fear of losing the link with the family of origin, or the anguish of being separated from siblings, among other possible emotions. It is not always possible for mental health professionals to carry out an evaluation that encompasses the child's subjectivity (Salomone 2017). Different factors can prevent this subjectivity reading from becoming effective, some of them are explicit while others are not so obvious. They are generally related to social representations about ideals of childhood and family archetypes and can influence professional practice, although professionals usually remain oblivious to this.

To address this issue, it is useful to differentiate two aspects of psychological practice: *role* and *function* (Salomone 2011, 2020). On the one hand, a variety of professional *roles* that psychologists play in different institutional contexts can be identified, for example, in the adoption system. In undertaking these roles, psychologists offer technical knowledge from the disciplinary field of mental health, articulated with requirements,

⁴ For instance, the regional Office of Public Defence, the Permanent Legal Guard and the Children Rights local and regional services in the different provinces of Argentina.

proceedings, objectives and even theoretical frameworks from the different institutions where their role is performed. At the same time, a *function* inherent to mental health professionals can be described, which is based on their specific knowledge and expertise about the psychological aspects of the subject and the dimension of mental suffering. Salomone argues that this knowledge implies a responsibility for the protection of those complex subjective aspects that the legal–administrative discourse fails to consider. Hence, the *function* should involve interventions that perceive a subjective dimension that goes beyond the institutionally assigned role: in ethical terms, the performance of the role is expected to include a clinical interpretation that conveys a singular assessment of the situation, which constitutes our professional function (Salomone 2020: 442).

The distinction between *role* and *function* allows us to recognize how essential their articulation is. By articulating the role—institutionally defined—with this particular reading from the mental health field, it is possible to protect the subjective sphere, even in contexts and practices where the rights of the subject are at the heart of the case. Especially, in the legal field, but also in others, where the rights discourse is central, it can be difficult to obtain an assessment of the subjective, psychological and affective aspects of the situation since a reading of the individual in terms of rights is preponderant. In addition to this, as we propose to show here, there are various historical, institutional and discursive factors that may affect the intervention criteria and the ethical position of psychologists (Ellett 2009; Ciordia & Villalta 2012; Benbenishty & Ors 2015; Domínguez 2015; Fluke & Ors 2016; Graziano 2017; Larrea 2021; Villalta 2021).

[C] METHODOLOGY

Data Collection

This article is based on an exploratory–descriptive qualitative doctoral research project, the purpose of which is to achieve a global understanding (Gallagher 2008) of the involvement and performance of psychologists in adoption cases, as well as to delve into some other relevant aspects (Bryman 2004), such as the discourses around the rights protection system, in general, and on adoption, in particular, that may influence psychological practice. To this end, our field study included data collection through interviews and document analysis.

Interviews with Professionals

Eleven psychologists, whose work is related to family separation processes and subsequent adoptions, were interviewed through semi-structured interviews. They belong to different institutional contexts, which comprise the adoption system, such as the National Directorate of the Registry of Guardian Candidates for Adoption Procedures (part of the Ministry of Justice of the Nation), civil courts of the City and the Province of Buenos Aires, the Children without Parental Care team of the Council for the Protection of Children and Adolescents' Rights, the Permanent Legal Guard (which is part of the aforementioned council) and children's residential care institutions. The purpose was to obtain relevant information regarding the practices and discourses that comprise and influence the adoption process, based on the experiences of the interviewees. In this respect, there were some questions common to all interviews, while others arose from what the interviewee expressed. A pre-determined set of open-ended questions was asked, such as: "What is your job like?", "What are your duties and responsibilities?", "What do you think is your contribution, as a psychologist, to the interventions?" and "Have you perceived changes since the implementation of the New Civil Code in your daily practice?" Likewise, more specific aspects were examined through particular questions such as: "Do you think there has been an increase in exceptional measures recently, as a result of the economic and social situation in the country?", "In addressing a case in which a child needs protection in his or her family environment, multiple institutions and a variety of interventions are involved and many strategies are deployed over time. In your opinion, why so often do none of them end up working?", "Within your interventions, have you come across dilemmatic situations that involve the intersection between the subjective and the legal field?"

In turn, these qualitative and comprehensive interviews granted access to the perceptions and discourses of the professionals in detail (Mason 2018), as well as to the understanding of the context of the adoption system and their workspaces (Bryman 2004). In short, discourse analysis allowed us to understand the perceptions that these professionals have regarding the adoption system and facilitated a deeper approach to their experiences in those situations.

Each interview was transcribed, named and numbered as Protocol No 1, 2, 3, and so on, in order to organize the content and facilitate the reading of results. With the purpose of maintaining the anonymity of the participants and the confidentiality of sensitive data, regarding

the interviewee, other professionals, institutional matters, children, adolescents and their families involved in the cases mentioned, we have removed any identifying information from the transcripts and reports, such as names, locations, characteristics of the institutions and so on.

[D] FINDINGS

Institutional Criss-crossings

The analysis of the field study has shown that the difficulties in sustaining a reading of subjective aspects, based on the singularities of each case, are not due exclusively to the blind spots of psychologists. The diversity of variables and discursive intersections that intervene, conditioning the practice, must also be considered.

For example, the current Civil Code establishes, among the main changes introduced in the matter of adoption, a maximum of 180 days to resolve the situation of a child who is under an exceptional protection measure, separated from his/her family of origin (Article 607, 2015). In this respect, this modification aims at shortening institutionalization times, as a way of caring for children, thus speeding up adoption processes. However, with this legislation, the possibilities for intervention by the protectional team are limited, reflecting a difference between the timescales of the individual subjects and the judicial timescale, whose logics tend to differ profoundly (Salomone 2011).

Throughout the interviews, the professionals from children's rights organizations reported an acceleration in the timings of the adoption processes, as well as an increase in the number of adoptions in recent years as a consequence of the latest legislative adjustments. Although these legislative changes in relation to resolution times were conceived with the objective of protecting children and adolescents, especially from so-called institutional care, which constitutes an advance in the area of children's rights, at the same time, they interfere in possible earlier interventions performed by psychologists to avoid the separation of children from their birth family and to improve the general situation. Naturally, this kind of intervention requires development time to achieve results. Therefore, the pressure to respond in certain predefined periods bypasses the responsibility of the state towards prevention and to generating strategies aimed at avoiding family separation; on the contrary, it ends up producing "children available for adoption" (Yngvesson 2012), obstructing the professional capacity to intervene in such cases.

Furthermore, the interviews have shown that the option of adoption is indicated, in many cases, as the only possible response to serious family problems. A lack of resources to reverse the said problems and an institutional structure limited in its capacities to intervene and respond have also been highlighted. In this way, the ambiguity of social policy is evident, in that children are removed from their homes instead of assistance being offered to their families (Pena 2014).

The lack of resources and the difficulties in establishing intervention strategies affect the course of a family situation when it comes to court. From the documentary analysis it emerges that several psychological and environmental reports on the determination of the adoption status of a child assert that a proper intervention to improve the family situation would take time and resources that exceed the state's capacity. These statements show that, in order to avoid an overly extensive institutionalization, as required by law, a decision is taken to decree the state of adoptability (in our view, perhaps too hastily). Moreover, one interviewee said that: "There are cases that you already know will end up in adoption" (Protocol No 6), indicating the insufficiency of resources available and, at the same time, showing the preconceptions that influence the outcome of the cases. Another interviewee points out that: "There are families that need to be adopted in their entirety, with adults included" (Protocol No 1), referring to the magnitude of vulnerabilities to be solved and the few resources available.

Inter-institutional Aspects of Professional Practice

Based on our analysis of the individual interviews, we noted the tensions and difficulties faced in order to come to an agreement and establish common intervention strategies among the different teams of the multiple organizations that constitute the children's rights protection system.

In that context, psychologists are expected to conduct notably different tasks, such as performing assessments, issuing reports and designing strategies to support legal decisions, which are also affected by different institutional variables.

In this regard, a situation highlighted by almost the majority of interviewees is that professionals who are assigned the same tasks and even share the same workspace may have different work environments and terms of employment, and that these have an impact on the interaction between the professionals from the different institutions. This is a consequence of the different types of labour contracts, plus the framework where they are performed (national, municipal or city body),

and if they depend on the Ministry of Social Development, the Ministry of Justice and Human Rights, the Head of Government or the judiciary.

In addition to this, all professionals are influenced by political decisions that affect government institutions, which generates a sense of instability. Changes in government management have a great impact on daily practice, as well as on public spending for child protection policies and programmes. This tends to upset professionals and make them feel insecure because they have to deal with adjustments implemented following the appointment of new leaders of government agencies. This situation of sudden and unpredictable change makes it difficult to improve the performance of institutional teams and inter-institutional relationships because it prevents the establishment of solid labour ties and consensual strategies based on the construction of common criteria. Management changes affect daily work, the team organization and supervision dynamics, among other things, and generate an unstable environment that also affects the progress of cases.

An interviewee remarked:

The network of institutions is characterized by rejection and, somehow, this sets the tone of the network. Most of the teams assume other teams “are not working properly, this is not okay, they don’t know anything”. Once you have worked in several spaces, it can be noticed that the relationship between institutions is very negative (Protocol No 3).

This context elicits certain institutional rivalries, arising from differences in the working conditions and the confusion generated by not knowing who or what institution is the one making the decisions.⁵ There are clear disagreements among professionals, which could be detrimental to the relevant shared case, as pre-existing institutional tensions invariably come first. Each institution starts isolating and functioning autonomously, evidencing a lack of collaboration between organizations. The historian Ignacio Lewkowicz stated that “this isolation has a twofold effect. On the one hand, an anarchy in the relationship of the institution with the external setting. On the other hand, a despotic tyranny within the institutions” (2004: 47).

⁵ A legal case can be referred from a hospital to the Council for Children and Adolescents’ Rights, which then requests the judiciary to intervene. Afterwards, the situation is referred to a regional Office of Public Defence, which will request reports from the care facility (in case there are no members of the extended family that could assume the responsibility of caring for that child), the school and other entities that should be considered for the case, in order to inform the judge on its development.

In this sense, the professionals explicitly expressed the frequent difficulties that arise when trying to unify criteria with other intervening institutions. They even implied that the evolution and outcome of a case may depend on circumstantial factors such as the assigned team, the professionals involved, or who the judge is (Salomone & Ors 2021).

A psychologist who works with children during the bonding process between a child and his/her new adoptive family expressed her view as follows:

Each institution and each court have their particular characteristics. They are very diverse and heterogeneous. Some courts are interested in our opinion, intend to develop a deep understanding of the case and want to exchange ideas professionally. However, there are courts with professionals that we do not even know, we don't have access to them, they don't want to share too much information and, as a result, all the exchanges are through official notices and intimations (Protocol No 5).

As mentioned above, establishing a common approach and intervention criteria beforehand is rarely achieved in addressing a specific case. The most common outcome is that each situation is resolved according to the available resources at any given time and according to the points of view of professionals and magistrates that intervene, instead of via a consensual professional criteria. We have already mentioned the great institutional merry-go-round that each case goes through, as well as the professionals themselves, and which has an impact on unstable intervention teams. However, it must also be noted that the children's rights framework of the United Nations Convention on the Rights of the Child 1989 (UNCRC) is the basis of current laws and institutional contexts of the child protection system in Argentina. That is to say, not only the legal system but also professionals acknowledge the guiding principles of the UNCRC that support the implementation of all the rights set forth, such as the notion of *best interests of the child*. The conceptions of the paradigm of rights protection should function as a common ground for decision-making processes. However, the field study shows that there are notable discrepancies regarding the meaning or interpretation of these conceptions. In this respect, one interviewee expressed this view:

There are some intervening organizations where the exchange of information is easier, and others that do not function this way and are more complicated. In my opinion, this has to do with the fact that there are institutions—considering the interventions they do and the strategies they propose—that know more about the child's situation and regard for his/her subjectivity, and there are others that do not work that way. Often, there is no continuity in the outlined strategy, so one thing is proposed, then another, and different strategies are

implemented without thinking much about the reason behind them. For example, from the Office of Public Defence we are told that “the father of X child is here now, so let’s reconnect them”, we ask about the reason: “what for? So that he is placed with him?”, “No, we don’t know”, they tell us. Then ... why? Many of these things happen and make our job very difficult, because children establish uncertain relationships and it takes more time to make a decision (Protocol No 4).

This statement highlights an important and recurring aspect throughout the fieldwork. There is evidence of a certain tension in the decision-making process. There is a perceived stress associated with assuming a central role in the decisions that will certainly affect the family life of both children and adults.

In summary, in observing the working circumstances of psychologists from the adoption system, we have identified difficulties related to the unification of criteria among the different experts, as well as inter-institutional tensions and those related to working conditions. In addition, this role implicitly carries a burden of fearing to assume the responsibility of assessing, analysing, informing and suggesting crucial decisions about the family life of children. We wonder if this fear, which often leads to confusing strategies, is particularly related to these specific professional roles or if it is a consequence of a weak and insecure labour and institutional framework.

In this regard, some studies (Ruscio 1998; Benbenishty & Ors 2015) suggest that proper training and the use of more structured and previously established tools for interventions would help reduce certain inconsistencies originating from institutional, historical and moral influences, which affect the evaluation of children’s rights and interventions to protect those rights. This would avoid prioritizing interventions based on the individual opinions and beliefs of each professional.

However, from this perspective, there could be a risk that assessments and interventions become rigid—eliminating the singular contribution of each professional based on a singular interpretation of the case—and then the possibility arises that the exchange that occurs in interdisciplinary and inter-institutional work loses value, leading to negative results (Munro 2011).

As a result, we need to find a middle ground: how might a consensus among the different teams involved be achieved without automating the professional practice while also preserving the particularity of the case?

General Logic and Singular Approach

The inclusion of professionals from the field of psychology does not guarantee in itself a reading of singularity (Salomone 2008) during the adoption process. The possibility of a singular, unified approach will depend on the position taken by each professional in the face of the situation and on the professional criteria applied. Reflecting on the position that is assumed and on the decisions that are made configures an ethical position that implies a reading of the singularity at stake and not only a linear interpretation of the norms and action protocols automatically applied to the case (Coler & Salomone 2017).

An aspect of central importance for the analysis of and approach to this issue is the articulation of the subject of rights and the subject of mental suffering (Salomone 2006) in our interventions in the general, logic-based adoption system world, in order to give rise to the subjective particularities, supported by a singular logic.

In this context of multiple variables and discursive intersections, we propose to question our position as the foundation of our praxis, in order to articulate the protection of children and adolescents in the normative field, together with the support of an interpretation that contemplates the singularity of subjectivity.

It has been noted in the review of case files during the fieldwork that the psychological report at the moment of declaring the adoptability of a child or adolescent is extremely valuable, which may also represent a challenging dimension. Frequently, such reports play a leading role since they explicitly recommend either interrupting or not interrupting the biological relationship. Based on the analysis of this information, we have identified a practice gap between the spirit and intentions of the new legislation that affects family situations and the actions taken at the institutional level. In the field of real interventions, there are tensions and contradictions between the regulations and what can be achieved in everyday reality (Villalta 2021). We have described certain circumstances related to the working conditions of the professionals, which have an impact on the difference between what is proposed and what really happens, in addition to the complexity of the particular situation of each case.

Sometimes these circumstances in the exercise of institutionally defined roles for psychologists are naturalized. But, fortunately, in many cases these obstacles and difficulties do not prevent a reflection on their practices. Below, there is an extract from an interview that encompasses

the concerns of many psychologists regarding their work and how it is affected:

Is it possible to meet legal deadlines? I ask myself that question and I always tell myself “it depends”. It depends on the complexity of the situation and its progress. We need to consider if we have six months to intervene in a critical situation or if there has been an early detection of risk or vulnerability. Likewise, we have to evaluate if it was possible to implement the activities during those months and a lot of other factors, such as that if the institution did not have a vehicle or did not have fuel to take the children to the hospital, if there were no vacancies at institutional care, if the family had to start some kind of psychological treatment and did not do it because there were no appointments available, etc. That is why there are other determining factors that go beyond the law. Although the law is well intended and contemplates interdisciplinary efforts and institutional work, in practice it is a whole different story and, generally, the problems that emerge are not the result of the professionals’ intentions, but of the resources they have. As a result, when the deadline approaches, an ethical dilemma arises: “Did we do our job?” We all ask ourselves this question because we know that our decisions are fundamental for people’s lives (Protocol No 2).

Indeed, these are crucial decisions for children, adolescents and their families, both the biological and eventual adoptive families. Family separation, filiation, identity, the right to know one’s origins, to participate in legal processes, to establish new filial relationships, among other issues, are at stake. However, it can be noted that, sometimes, institutional pressure subverts the conceptions that the institutional discourses themselves want to preserve. One interviewee clearly described the conclusions we were able to reach in the field study:

The system collapses, and the teams cannot cope with all the cases. The truth is that, in this context and with a lack of resources, the team cannot offer the family what they need, so they resort to exceptional measures. This happens because professionals cannot or could not work with that family and, if the situation becomes very risky, unfortunately, exceptional measures are the next step to be followed (Protocol No 6).

[E] FINAL THOUGHTS AND DISCUSSION

In recent years, the Government of Argentina has made enormous progress in relation to the design and creation of national and provincial regulations that promote a greater protection of rights. A wave of new legislative provisions has occurred, which includes the Same-Sex Marriage Law (Law 26,618, 2010), the Gender Identity Law (Law 26,743, 2012), the Women’s Comprehensive Protection Law (Law 26,485, 2009), the Comprehensive

Access to Medical-Assistance Procedures and Techniques for Medically Assisted Reproduction Law (Law 26,862, 2013), the Law on Dignified Death (Law 26,742, 2012), the Comprehensive Protection of the Rights of Girls, Boys and Adolescents Law (Law 26,061, 2005), to name but a few, which have expanded the range of rights currently contemplated.

These new regulations have been accompanied by changes introduced in the so-called ‘new’ Civil Code 2015, which—regarding the particular subject we are addressing here—defines the new guidelines for adoption as a legal institution. These adjustments focus on providing children without parental care with a family and making the child the centre of the legal procedure, considering his or her best interests, according to the children’s rights paradigm. On this basis, the rights and interests of potential adopters are subordinated to those of the child or adolescent in a situation of adoptability. Such legal modifications clearly introduce the notion of the child as a subject of law, and this is the reason why both the issues of children without parental care and adoption processes are addressed in terms of protected rights. Correspondingly, there are multiple existing programmes that seek to protect children’s rights⁶ throughout the country.

In this context, our research sought to identify some factors that prevent—within the framework of adoption processes—achieving a comprehensive protection of children: in terms of rights, despite the extensive regulatory and institutional framework that supports them, and in terms of subjective suffering, depending on the difficulties of psychologists’ work.

Based on the results of the field study, we wonder about the possibility of guaranteeing that children and adolescents’ rights are respected and protected, taking into account the factors described above, despite the good dispositions and valuable conceptions of the professionals. During the fieldwork, we mostly interacted with professionals who are highly dedicated to their work and actively participate in the protection of children’s rights. Beyond the circumstances of their jobs, those who have worked for years in the same role demonstrated commitment and attention to their very particular task, dealing with unstable working and institutional environments that lack the necessary resources, which affects interpretations and interventions.

⁶ Such as the Programme for Children and Adolescents without Parental Care, the Zonal Ombudsman Offices, the Permanent Legal Guard, the Registry of Publication and Search for Missing Children, the Department of International Restitution, the Department Against All Forms of Exploitation, the Technical Unit Specialized in Child and Youth Abuse, the National Early Childhood Plan and the Universal Allowance per Child.

On this point, we also noted that the potential for perceiving subjective aspects in the analysis and development of a case is not the sole responsibility of psychologists. In other words, the contribution we can make from our discipline also needs to be accompanied by public policies and the availability of resources to enable this particular intervention. The multiplicity of actors, professionals, programmes, laws and policies with no consolidation or overall structure discourages professionals and hinders strategies for the protection of rights and the subjective field.

In other words, contemplating the subjective aspects in a case intervention is an important part of protecting children's rights. Even though there are highly committed professionals that intend to strive for it, this task becomes extremely difficult when the intersections between the institutional, labour, political and discursive elements affect the possibility of unifying criteria in pursuit of the child's best interests. There is still a need to undertake more work in terms of prevention policies and the designation and reorganization of the state budget for children's rights protection policies and programmes (UNICEF Argentina 2023). In this sense, we suggest that designing early strategies for wellbeing in family life and the implementation of children's rights, with a gender perspective, would promote greater care in childhood and detect possible risk situations in advance, which would in turn reduce the activation of exceptional protection measures of family separation.

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