**CHECKLIST**

**FACTORS THAT DETERMINE A CHILD’S BEST INTERESTS**

All factors listed below are of relevance when determining which among the available options is in the child’s best interests, including identifying the follow-up measures required. The weight of each factor inevitably varies according to the individual child. Advice on the difficult task of balancing these factors is provided in Chapter 5 of the Guidelines.

**VIEWS OF THE CHILD**

* Child’s wishes and feelings and were these obtained from the child directly
* The weight to be given to them, in light of the child’s age and maturity;
* Child’s ability to comprehend and assess the implications of the various options.

**SAFE ENVIRONMENT**

* Safety is normally a priority. Exposure or likely exposure to severe harm usually outweighs other factors. Consider:
	+ - safety in the geographical location/household under consideration
		- availability of life-saving medical treatment for sick children
		- past harm (frequency, patterns, trends)
		- ability to monitor
		- whether root causes of past harm still persist.

**FAMILY AND CLOSE RELATIONSHIPS**

**a) General factors:**

* + Quality and duration of the relationship and degree of attachment of the child to:
* siblings
* other family members
* other adults or children in the cultural community any potential care-giver;
	+ Potential effect of separation from family or change in care-givers on the child;
	+ Capacity of current and potential future care-givers to care for the child;
	+ Views of persons close to the child, where relevant.
1. **Factors specifically relevant to durable solutions for unaccompanied or separated children:**
	* Possibility of family reunification (normally presumed to be in the best interests). Consider whether:
		+ tracing has been initiated and its results
		+ the efforts made to contact the parents/family directly the family relationship to the child has been verified
		+ the child and family member are willing to be reunited and, if not, reasons for any reluctance.
2. **Factors specifically relevant to temporary care arrangements: Retention of family and sibling relationships;**
	* Prospects for care in a family setting;
	* Prospects of using community care systems (provided they are safe and effective).
3. **Factors specifically relevant to separation of a child from parents against their will (normally strongly discouraged):**
	* The views of both and the weight to be attached to them;
	* Quality of the relationship between the child and parents and likely effect of separation;
	* Capacity of parents to care for the child;
	* Capacity of extended family members to care for the child;
	* Considerations of proportionality in cases involving removal from family. Consider:
		+ options for addressing problems in a less intrusive way
		+ maintaining a minimal continuity of contact (e.g. under supervision)
		+ separation for the shortest duration and early deadline for review;
	* Access rights.

**DEVELOPMENT AND IDENTITY NEEDS**

* The child’s cultural and community network;
* Continuity in the child’s ethnic, religious, cultural and linguistic background;
* Specific considerations based on age, sex, ability, and other characteristics of the child;
* Particular physical or emotional needs;
* Physical and mental health considerations;
* Educational needs;
* Prospects for successful transition to adulthood (employment, marriage, own family).