

# The Principle of Subsidiarity Applied:

Reforming the Legal Framework to Capture the Psychological Abuse of Children

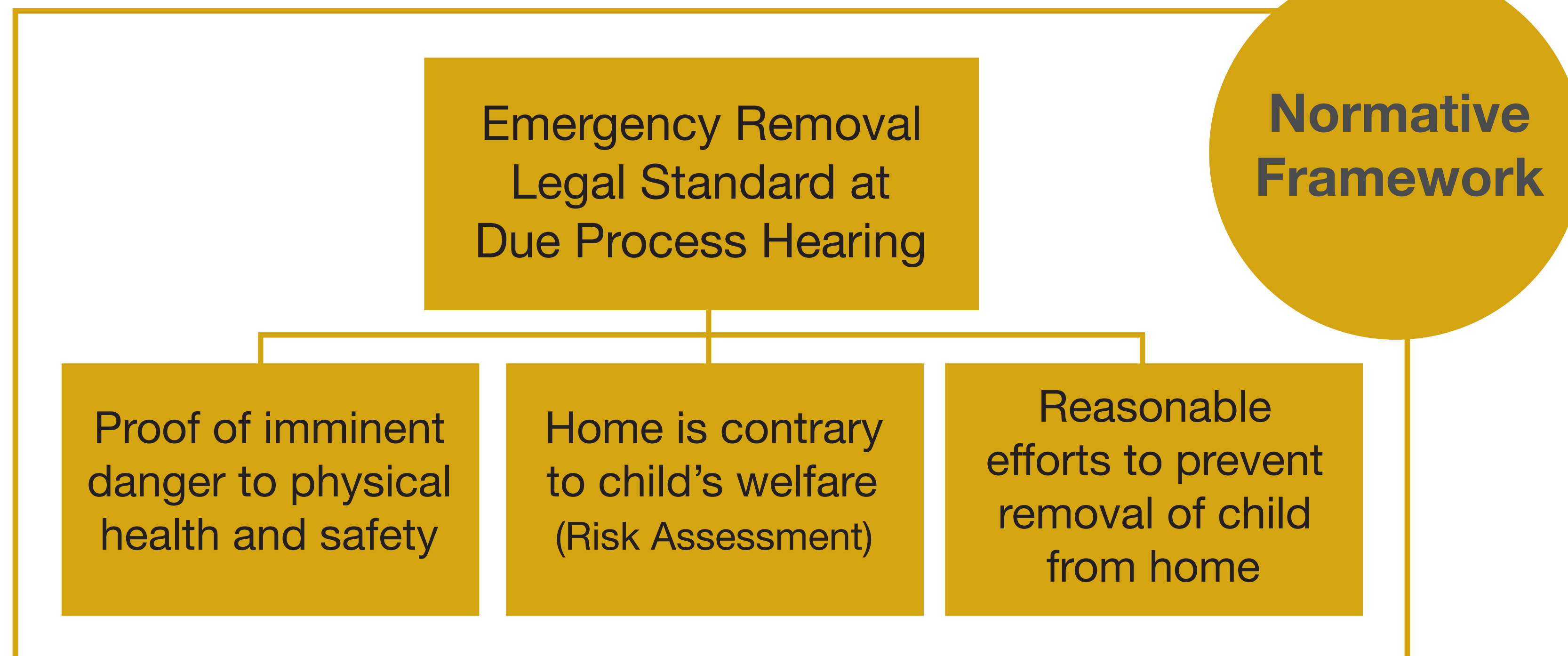
## Problem

Psychological Abuse is the most prevalent type and the core component of child abuse, **BUT it is not captured** in the normative framework of the child protection system.



## Analysis 1

We lack standard laws to identify and investigate the psychological abuse of children.

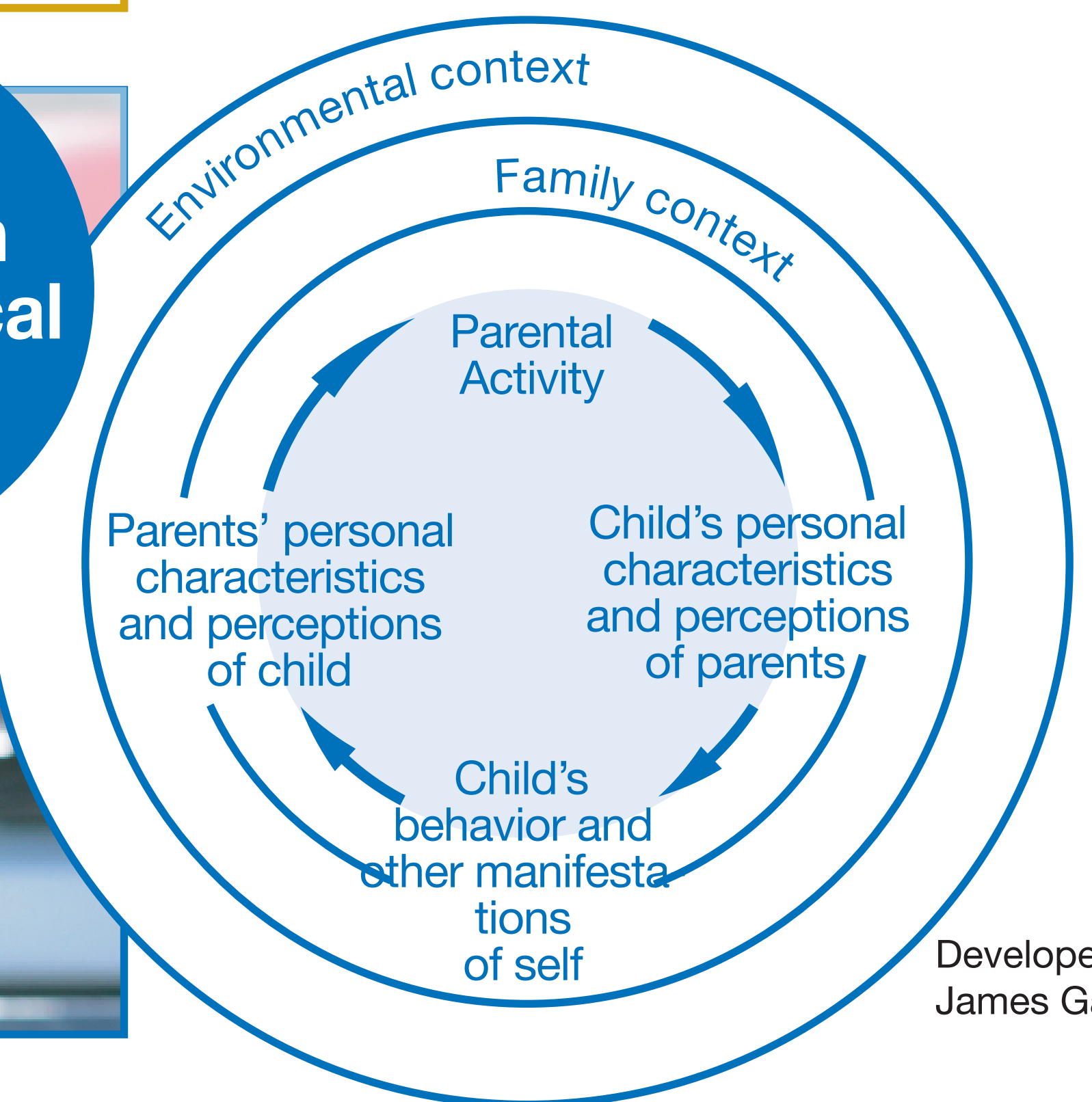


Child Abuse Emergency Removals include only physical/sexual abuse and physical neglect.

**Primary Consideration of Court: Best Interest of the Child**

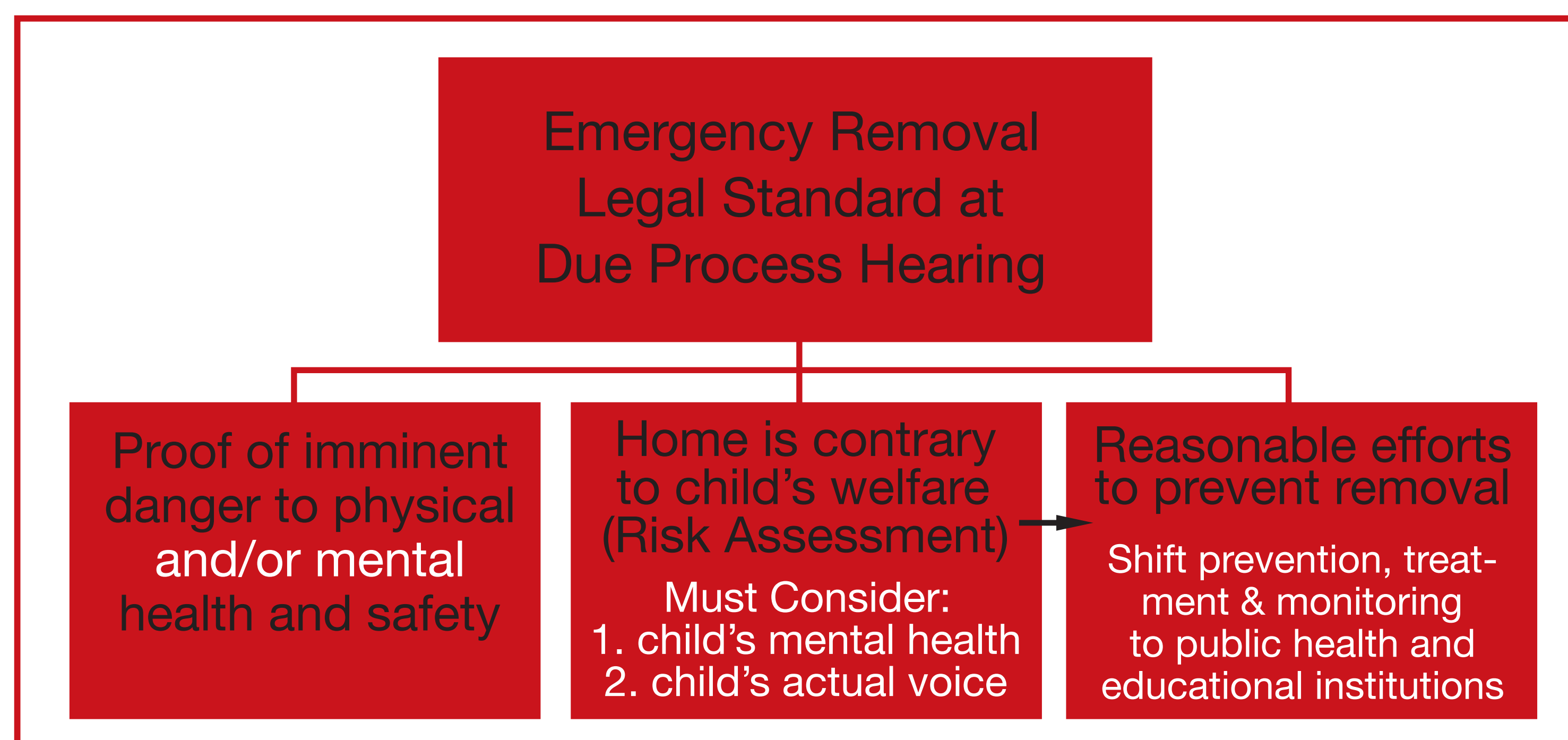
## Analysis 2

We lack an effective organizational method to prevent, treat, and monitor psychological abuse and neglect.



## Solution 1

Amend CAPTA (Child Abuse Prevention and Treatment Act) & state emergency removal statutes.

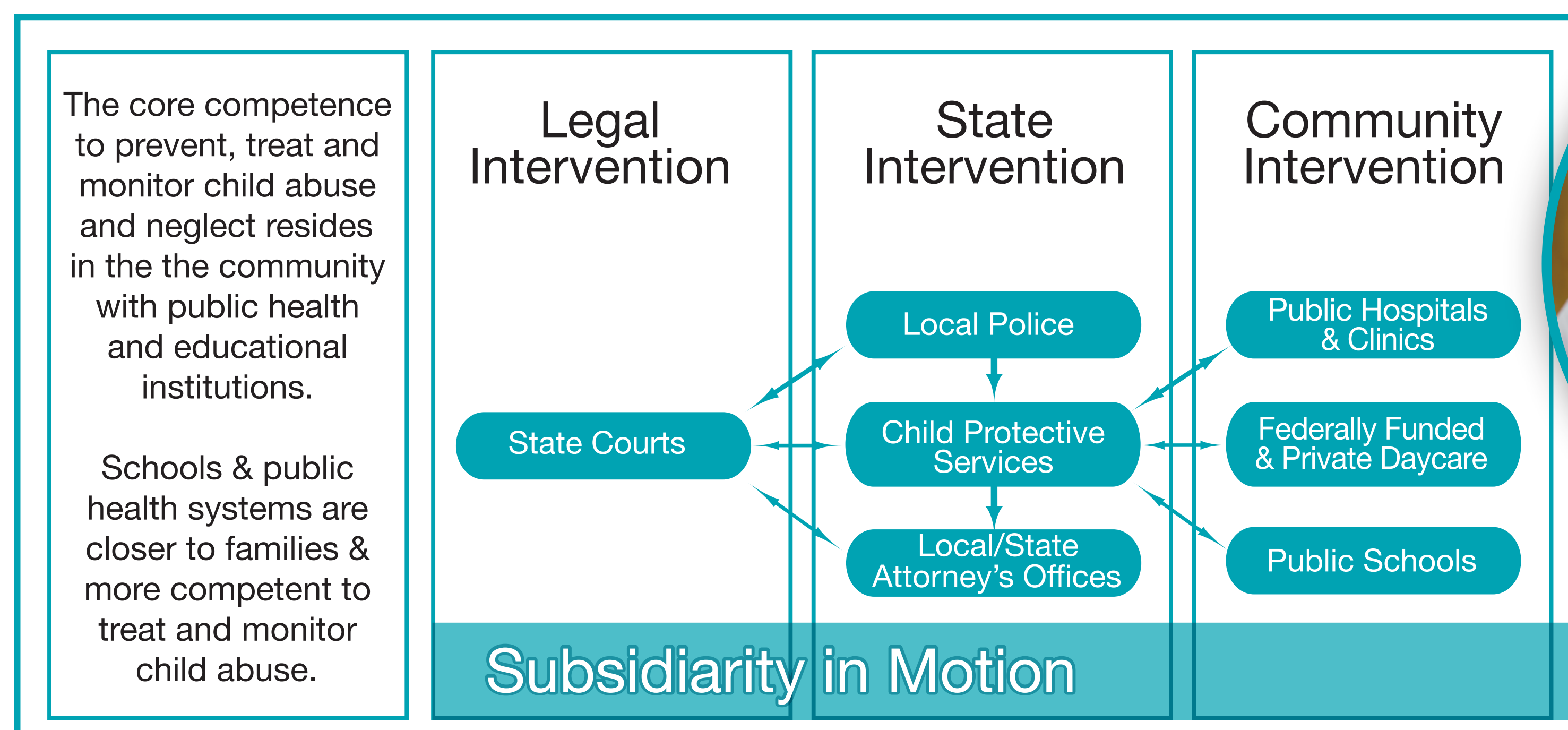


Require standard definition of psychological/emotional abuse and inclusion of this type of abuse in all state emergency removal standards to access federal funding.

**Primary Consideration of Court: Strengthening the family unit to better serve the child**

## Solution 2

Apply the Principle of Subsidiarity to reform the normative framework.



**Principle of Subsidiarity defined: A matter should be handled by the smallest or least centralized competent authority.**