



Netzwerk Bildungsfreiheit

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Fifteen year old German homeschooler forcibly admitted into a mental institution

The day before Christmas, the German newspaper, Erlanger Nachrichten published a picture of the eight-member Busekros family standing happily together around an advent wreath. The title of the accompanying article was “Only families open the way for new perspectives“ (<http://www.erlanger-nachrichten.de/artikel.asp?art=589240&kat=19>). On the first of February this year, the Busekros’ oldest daughter was torn from her family by force, thanks to a judge’s ruling : Compulsory admittance to the Klinikum Nuremberg-Nord, a psychiatric clinic for children and young people and loss of parental custody.

In summer 2005, 15 year old Melissa was told that she would have to repeat the 7th grade at the Christian Ernst Hig Gymnasium (a high school where one can obtain the Abitur, the highest German high school diploma) due to her bad grades in math and latin. The situation in the class played no small part in creating this state of affairs - the high noise levels and cancelled classes prevented her from receiving the educational assistance she needed during school hours. As Melissa had good grades in all the other subjects, repeating the whole year would be mostly a waste of her time, as well as the fact that she would now be in a class even more problematic than the previous year’s. Thus, it was decided by Melissa and her parents that she would be tutored individually at home to meet her specific needs. At her own wish, Melissa only took part in Music and sang in her school choir. The school and the local school authorities were not satisfied with this solution, and consequently expelled Melissa from the school, allocating her to the local Hauptschule (the lowest in the German three-tier high school system).

The Busekros continued educating their daughter at home, with their other school-age children still attending school. At the end of the school year 2005/2006, Melissa was no longer subject to full-time compulsory schooling. In spite of this the Youth Welfare Office (Jugendamt) in Erlangen appealed to the local Family Court, which ordered Melissa and her parents to appear at a hearing, which was consequently attended solely by her father. Melissa was overseas at that point. However, the authorities didn’t relent and wanted to know in detail where Melissa was, resulting in an unannounced visit to the family by the Judge of the Family Court.

The Busekros family is known and much loved by all their neighbours. Their willingness to be photographed for an article in the local newspaper demonstrates that they have nothing to hide. That was not good enough for the officials. On Tuesday 30th January just after 7am, Mrs Busekros and her children – Mr Busekros had already left for work – were startled by the appearance of social workers and police officials who demanded that Melissa be handed over to them immediately. They had as authorisation a decision by the Erlangen Court (case no. 006 F 01004/06) of the 29th of January. It stated “The relevant Youth Welfare Office is hereby instructed and authorised to bring the child, if necessary by force, to a hearing and may obtain police support for this purpose.”

Melissa was brought into the Child Psychiatry Unit of the Nuremberg clinic and was subjected to an interrogation in the presence of the specialist Dr. Schanda. After this interrogation, about three and a half hours after she was coerced into the clinic, Melissa was returned home. Her relieved parents and her five younger siblings, who didn’t know when they would ever see Melissa again, as well as Melissa herself didn’t know that the worst was still to come.

On the afternoon of the 1st of February, the judge of the Family Court, representatives of the Youth Welfare Office, along with fifteen police officers, marched up to the Busekros home, to haul Melissa off to

the Child Psychiatry Unit of the Nuremberg clinic. The judicial decision authorising this also removed Melissa from her parents' custody, according to her father, Hubert Busekros. This treatment was justified by the psychiatrist's finding, two days previously, that she was supposedly developmentally delayed by one year and that she suffered from school phobia. The fact that the less than optimal testing environment and the unexpectedness of the tests could have impacted on Melissa's performance were not taken into account in this decision. It is not known when Melissa's parents and siblings will be able to see her again, as the official approach in cases of "school phobia" is to completely prevent the "patient" from having any contact with those closest to him or her, as such contact supposedly enables the phobia.

The article, "**Only families open the way for new perspectives**" was accompanied by the photo of a happily smiling Melissa surrounded by her loved ones – in her current situation, she can't have much to smile about. Will her smiles disappear completely, while the bureaucrats who placed her in this situation remain smug in their certainty that they have made her life better? What is being done to a sensitive and musical young girl, just because the bureaucrats want to set an example? In their zealous drive to enforce compulsory schooling (which by Melissa's age is only part-time) at all costs, they readily accept the trauma caused to the unassuming and lovable Melissa.

If Melissa had lived in Austria, the Czech Republic, France, Ireland, the UK or Belgium, all those involved – the schoolgirl, her parents and the educational officials involved – would have been, at the very least, unperturbed that she was being educated at home. In these countries, as in practically the rest of the world, home education is a legally recognised alternative to school, which can be a boon to children with special needs and gifts. Many of those German school pupils who have had to repeat grades would have been able to complete their schooling without stress in these countries if they had parents as involved as Melissa's. Melissa, on the other hand, has been turned into a psychiatric case : a German schoolchild's nightmare.

The Netzwerk Bildungsfreiheit condemns this inconsiderate and totally incommensurate behaviour on the part of the officials involved and demands that they give Melissa her freedom and return her to her family immediately. Additionally, the Netzwerk Bildungsfreiheit calls all politicians and those in political offices, in Erlangen and the rest of Germany, to ensure that such human rights abuses and high-handed behaviour by government officials are stopped, even if it requires personal intervention.

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