

# Fifteen Year Old German Homeschooler Forcibly Admitted Into A Mental Institution

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Amina Melissa Busekros

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". 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 2004, Melissa was told that she would have to repeat the 7th grade at the Christian Ernst 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 home of 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



Melissa (right, top) and her family

of the judge of the Family Court, social workers and police officials who demanded that Melissa, now aged 15, be handed over to them immediately. They had as authorization 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 authorized 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 authorizing 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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## **German Officials May Have Taken Homeschool Girl into Hiding**

February 13, 2007

Melissa Busekros, the 15-year-old German girl who was put in a mental hospital after the state stripped her parents of custody, has been removed from the hospital and taken to an undisclosed

location. The state is not telling the parents where Melissa is now.

You can read more about this case at: <http://www.cbn.com/CBNnews/101346.aspx>. German officials have decided Melissa suffers from "school phobia."

I will be interviewing the Busekros family next week in Bavaria and will also try to question German officials.

At an appeals hearing last Friday the judge reportedly sent the case back to the lower court without doing anything. One lawyer involved in the case told me "The German court system can put out warrants for the arrest of American officials, but can't help a little girl."

A German in the homeschool community wrote me to say "this is the biggest outrage to date... I don't think the German authorities understand (what) they are getting themselves into...and it's most interesting that this case seems to be getting no coverage in the German news."

But outrage is building in the United States, if not around the world, for what looks like an egregious human rights violation.

## **Melissa Busekros Case Information**

Hubert and Gundrun Busekros are standing strong in their faith. They know that you are praying for them and they are encouraged by your prayers. On Friday, 23 February 2007, we spent nearly three and one half hours with Melissa's parents and siblings. She is still being held at an undisclosed location, a foster home, against her wishes and the wishes of her family. The parents are being permitted to see her once a week for one hour. Although they are permitted to call her a couple of times a week, they have lost their custody rights and they are being forced to fight a legal battle to get their oldest daughter back.



*Picture of Melissa (top left) during most recent family visit at govt. facility.*

During the most recent family visit with Melissa, they were able to spend one hour with her. They were not permitted to see the home where she is being kept; they were forced to meet Melissa at a nearby government building with the result that the parents still do not know exactly where Melissa is being kept. They were not allowed to meet the family who has custody over their daughter.

We were with the family when they sat down to a warm



Melissa's seat at the family table is empty for now.

warm lunch in the family dining area. As I looked around the table, I noticed that one chair at the table is left empty. It is just to the right of Hubert Busekros and it is the chair that Melissa sits in when she is with the family. It is empty now, but we are working to make sure that Melissa is returned home to eat with her family as soon as possible. Please continue to pray.

Hubert and Gundrun are continuing their legal battle. We have just over a week to file an appeal from the most recent court decision. This last decision saw the local authorities, who took Melissa from her home without her or her parents' consent, reject a possible compromise that would have allowed Melissa to go home while the legal situation is resolved. Both the court and the Busekros family were willing to agree to the compromise in order to bring some normalcy back to Melissa's life.



Melissa's family in Erlangen.

There has been talk about having Hubert and Gudrun tested by a psychiatrist. The Busekros are willing to go through the testing even though they are concerned that the results of those tests could be twisted to take the rest of their children from them. After all they have been through, their trust in the German government officials is shaken.

During our recent visit with Hubert, Gundrun and the remaining five Busekros children, I was able to encourage them that we have mobilized Christians from at least nine different countries and from nearly twenty states to pray for the Melissa and her family. As I shared this encouraging news with the parents, they looked at me with tears in their eyes and said,

“This is the most important thing.”

We must continue to fight for the rights of this family. Even more importantly, we must continue to pray for this family. Their nightmare is continuing and we are engaged in an important legal battle.

This is an extreme action, even for the German home school battle. If German officials succeed, they will be emboldened to increase the pressure on home schooling families throughout Germany. Additionally, success in Germany will encourage other countries, even America, to increase the pressure to hinder or end home schooling. We must continue to stand in this case and others.

### **Here are the facts so far:**

German officials took fifteen year old Melissa Busekros from her family. All of the facts surrounding this outrageous action of German legal and police authorities can be found in



Officers gathered on this street outside Melissa's bedroom window.

English at:

[http://www.netzwerk-bildungsfreiheit.de/html/pe\\_erlangen\\_en.html](http://www.netzwerk-bildungsfreiheit.de/html/pe_erlangen_en.html)

The State's action clearly goes beyond what is justifiable. They took unreasonable measures for which they had no basis. They intimidated the family with a "SWAT" team of 15 police officers to take captive a 15-year-old unsuspecting girl early in the morning, taking her to a state psychiatrist.

The German court has refused to restore the Busekros parents' custody rights, although the court has agreed to give them visitation rights. The family is permitted to meet with Melissa for one hour a week at a government facility.

On Friday, 16 February 2007 a court hearing was held that lasted five hours. No decision was made, but a written decision was released on Monday, 19 February 2007, giving the parents visitation rights and discussing a court-endorsed compromise that would have allowed Melissa to go home and continue to receive psychiatric care. The parents agreed to the compromise, but the Youth Welfare Services and the attorney appointed by the State to represent Melissa refused the compromise; and Melissa is still being held away from her parents.

We have fourteen days to appeal this decision, and an appeal is in process now. The Busekros' attorney is a specialist in custody matters. He is confident that she will be released back to her parents and family by the appeals court. We are working with the Busekros and their attorneys to make sure everything is done to bring Melissa home as soon as possible.

We have a four pronged strategy to see Melissa released from State custody and returned to her family.

1.) We are working to develop international prayer support for Melissa and her family. We currently have heard from people in nine countries, on four continents, and nearly twenty states in the US who have committed to pray for Melissa and her family. We know there are countless others who are praying as well.

2.) We are fighting in the courts of Europe to continue to protect the rights of German parents to control the educational choices of their families. We are currently working on two cases to the European Court of Human Rights in Strasbourg, France on these issues, as well as a number of cases in the German courts with attorneys Armin and Gabriele Eckermann.

3.) We are raising public awareness of the issue in America and around the world through television, radio, print media, Internet news services, and other media outlets. We know that if citizens, even in Germany, understand the fight they will begin to see the value of parents determining the educational choices of their families.

4.) We are also encouraging individuals to write emails to the government officials who have taken Melissa from her family. These officials need to see the outpouring of support for Melissa. They need to understand that most of the world sees the Christian faith of the Busekros family as normal not dangerous.

In keeping with this last point, we are asking you, and everyone you know, to take action and send

an email to the officials listed below. Your email should let them know that you do not support their actions which violate religious liberties and parental rights laws around the world, including in Germany. Then ask the official to please use the authority of their position to have Melissa released back into the custody of her parents. Also, email the court and ask them to reinstate the custody rights of the Busekros parents.

The case has reached the point now that contacting the direct authorities like the town youth welfare department, court, etc. is not sufficient. The gravity of the case requires that we contact the highest ranking politicians in Germany and Bavaria. For these purposes, below are the most important addresses.

**URGENT UPDATE AND CALL FOR PRAYER SUPPORT:  
APPEALS COURT RULES AGAINST MELISSA & THREATENS FAMILY**

**12 March 2007 - This morning, the OLG appeals court in Germany upheld the decision of the lower court against the Busekros family.**

*The court also held that Hubert and Gudrun must undergo psychiatric evaluation. The family, while willing to do this to see Melissa returned home, genuinely fears that all of this will be used against them to take their remaining children away from them.*



An additional fear is that Melissa will be returned to the psychiatric clinic system in Germany and "disappear." This would leave the family with no way to know where Melissa is or how she is doing. She could become a ward of the State and completely lost to her family.

The pressure on this family, which has been incredible for the past month, has just increased to levels that are beyond imagination. Please pray for their peace and wisdom as they continue to fight to hold their family together in this hostile environment.

You must know that the International Human Rights Group is doing everything we can to end this siege of the Busekros family. I have personally met with the family in their home. We are working with the Busekros family and their attorneys on the legal side of this case. We have called on Christians around the world to pray for the family. We have asked everyone we contact to email the government officials who are responsible for this tragedy. We are now looking to set up a wider boycott of German goods in honor of Melissa and her family.

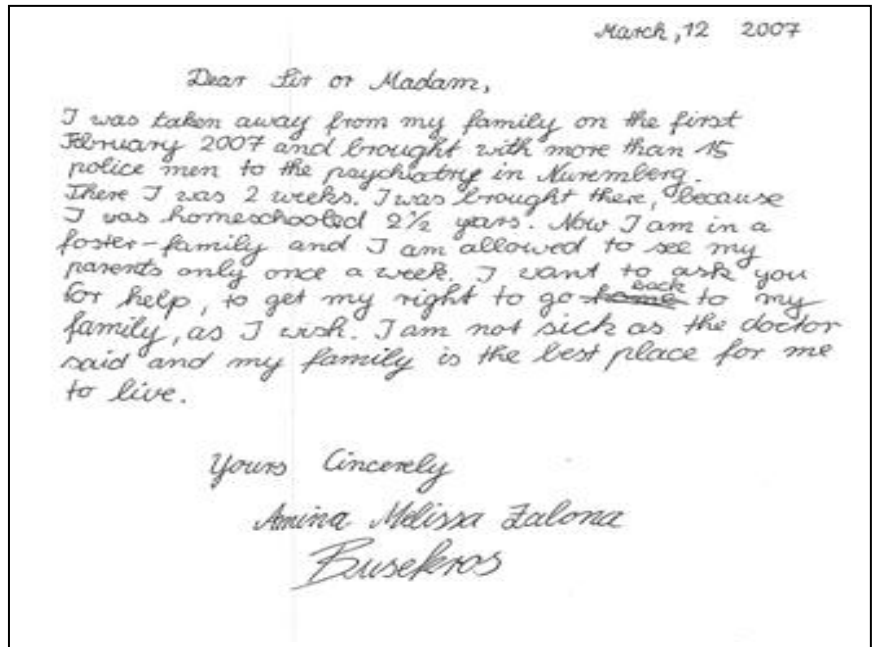
We are also preparing right now to set up meetings with US government officials in Washington, D.C. and Berlin, Germany to make sure they are aware of the seriousness of this situation and its ramifications around the world.

We need your prayers and financial support like never before. It is very likely that I will have to fly back to Germany in the next couple of weeks for meetings with the US Ambassador to Germany in Berlin.

**MELISSA ASKS FOR HELP:**

**13 March 2007 - This morning, IHRG received this hand-delivered letter from Melissa, who is seen above (standing beside her sister)**

**speaking with Richard Guenther, Director of European Operations for the International Human Rights Group. They are at the window of the clearing house where she was scheduled to meet her parents. She is brought here from her secret foster home location.**



Generally letters and faxes receive more attention than emails; unfortunately, emails are often deleted unread. At least to the highest politicians, a written input should be supplied in addition to emails.

**You can also call 202.298.4388 asking that the Ambassador intervene on Melissa's behalf.**

Our prayer is that we can work together to end this nightmare for this family. Please know that the International Human Rights Group is continuing to work with the family and attorneys to secure and protect the human rights of Melissa and her parents. If you would like to support our work you can send a check to the International Human Rights Group (108 Sequoia Drive SE; Rome, Georgia 30161) which is tax exempt non-profit organization, or click on the donation link above.

**Regardless of what else you do, please continue to pray for Melissa and her family.**

Melissa's address at home:  
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## Germany

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Responsible authorities, actively involved in the case:

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