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Rethinking Child Protection:

Child participation and child welfare

Nordic Congress on Child Welfare 2018

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Presentation of a recently completed study

- Research report co-authored with **Elisabet Näsman** and **Joakim Palme**: *Rättighetsbärare eller problembärare? Barns rätt att komma till tals och socialtjänstens insatser* (in Swedish). Published by Stiftelsen Allmänna Barnhuset, 2017
- See also: Heimer, Näsman and Palme, 2018, Vulnerable children's right to participation, protection and provision: The process of defining the problem in Swedish child and family welfare, *Child & Family Social Work*: 316-323

Sweden (and the Nordic countries) in a comparative perspective

Child protective system

- Focus on the protection of the child where parents are seen as the problem
- Legalistic investigatory intervention
- Adversarial relationship with parents

Family service system

- Child abuse is seen as a problem of family conflict/dysfunction
- Therapeutic intervention, based on needs, which targets the family as a unit
- Partnership with parents
- Parents' participation voluntary

Towards a child focus orientation

Including, according to *Gilbert, Parton and Skivenes (2011)*:

- Focus on the child's needs in a present and future perspective
- Early intervention and regulatory/need assessment
- Promote child well-being via social investment
- **Partnership with parents**

But not including **child participation!**



Child Welfare

- **Our theoretical framework**, fully anchored in the CRC, adopts a view of children as rights-bearers and **encompasses all three P:s of the CRC: participation, protection and provision**
- Children's participatory rights are seen as a constitutive part of child welfare and for children's social rights. **Child protection and provision may be partially conditioned on children's right to voice** (*Heimer and Palme 2016*)

Dilemma in work with vulnerable children within the social services

- Potential conflict of interest between parents and their children when children are at risk due to their home situation and lack of parental care
- Parents' voluntary participation is given priority in Swedish legislation at the same time as children shall be given opportunity to be heard
- This dilemma has not been solved by the Swedish legislator but is delegated to practitioners to handle

The study's research question

Overall purpose: To examine how the child's right to be heard within the social services affect the care offered to the child

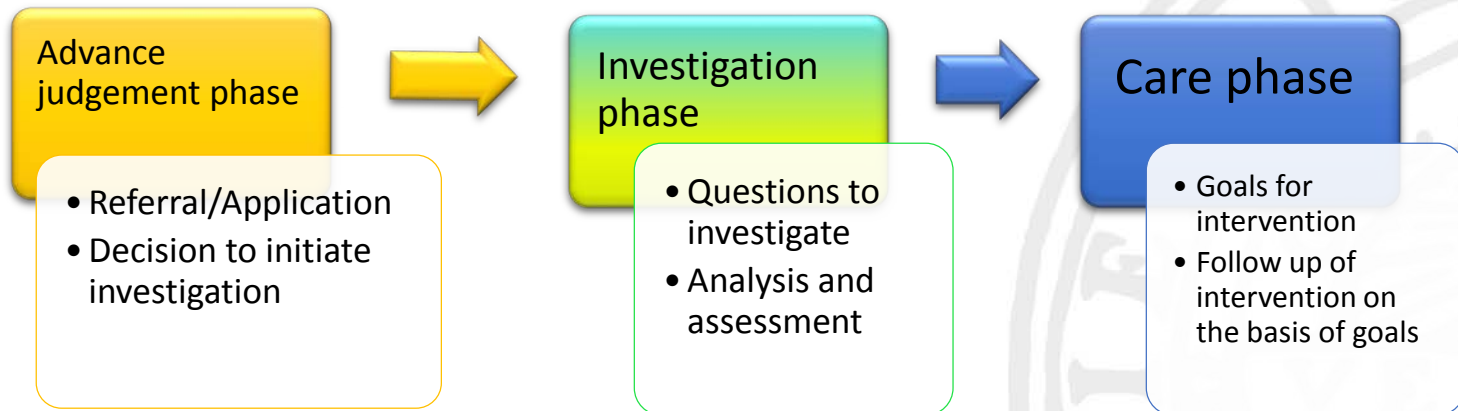
How does children's participation in framing the problem affect the protection and provision offered to them by the social services?

Design of study

- **Fieldwork in 2 middle-sized municipalities** (in different parts of Sweden) that had been engaged in strengthening children's participation over time
- **All child investigations during 1 year** (2012-13), in total 688 child investigations
- **46 interviews** (2014-16) with social workers and family workers, based on their concrete work with individual cases
- **40 child cases followed over time**, from the first contact with the social services up until the end of 2016

What's new in relation to earlier studies

- Focus on child participation (especially in the framing of the problem) and *how it affects* the design of care
- We study the whole process, from the first referral/application to the follow-up of care



The main results of the study: Child protection turns into parental support

- **Competing problem descriptions are recurrent**, especially when there are serious concerns (such as child abuse)
- **The child's opportunity to be heard is weakened** (while parents' voices are strengthened) **at each new phase**
- **Social workers adjust their assessment of the problem to the parents' problem description** for the purpose that parents will participate in investigation and in care

The main results of the study (2): Child protection turns into parental support

- A tendency that **problems in the home situation are toned down and the focus is instead turned to the child's own behaviour**, which influences the design of care
- There is a risk that the **design of care does not match the documented problems**, and in many of the cases children have received inadequate support

Gaps between the three different phases: advance judgement, investigation and care

- Critical information from advance judgement phase (such as documentation attached to referral, information from the child) is not always included in the investigation because social workers want to choose their own entry to the case
- Information giving rise to serious concern, toned down at the end of investigation, does not always reach family workers
- The framing of the problem starts again at each new phase

Competing framings of the problem

- Especially recurrent when serious concerns (serious concerns frequent in the total sample, child abuse not the least)

Competing framings are in essence about **parents' lack of care** versus **the child's own behaviour**

- Parents seek to move focus and responsibility away from themselves and not uncommonly onto their child
- Includes parents attempt to give their child a diagnosis (even when no such impressions are supported by the school/child psychiatry)



Examples of competing framings

- Oskar: physically abused by his father for a long time versus Oskar takes drugs and has strong control needs
- Matteus: his mother, with her own mental health problem, gives her son the diagnosis of adhd and accuses him for saying that he is abused "even when he is just pushed forward"
- Madeleine: her mother presses on for a diagnosis (whereas a psychiatrist investigation upholds lack of care) versus Madeleine declares she is abused by her father

Social worker's framing of the problem and solution: examples

- Simon: *"Simon's parents are in need of support to be able to guide, set boundaries and handle conflicts with Simon"*
- Elsa: *"Elsa is a girl in need of structure and predictability."*
- Katarina: *"Katarina is a quiet girl who does not express any riskful behaviour herself ... that the parents have crossed the line and taken to violence and verbal abuse is under all circumstances unacceptable"*

Social workers' strategy

Social workers accommodate parents, and adopt their framing of the problem, or a part of it, in order for parents to accept intervention

"one does not want to offend parents ... if you get parents who have been troublesome to after all receive support, then you have the tendency to diminish their responsibility a great deal"

Serious lack of parental care, such as child abuse, can be rewritten into the need for the setting of boundaries and structure in everyday life:

"one attempts to work around child abuse a little in the sense of trying not to blame parents too much"



Child abuse

- Violence were reported in 57% of the cases, of which 64% concerned child physical abuse, in the total sample (688 investigations)
- In many child investigations, it was however not the worry about physical abuse that was being investigated, even though that was the concern of the referral
- One interpretation, in line with the result of this study, is that a focus on child abuse, in particular if reported to police, would make it more difficult to accomodate parents and that one therefore wish to avoid that entry

Design of protection and care offered to the child: examples

- Lisa: Individual support to Lisa's mother when the mother feels there is a need. Lisa had been physically abused by her father, Lisa herself called the police
- Axel: Family treatment to help with structure and setting of boundaries. After two home visits, mother ended the intervention. Axel is reported to feel vulnerable in both his homes and had expressed suicidal thoughts
- Nina: Out of home placement for Nina who was being physically abused by both her parents



Family workers' strategy:

Family workers start to work with what the parents want to work with, in order to motivate parents:

"It is absolutely so that we always ask the parents 'what do you need help with?' ... on the whole we always work with what the parents wish to get help with"

At the same time, family workers are aware that:

"the parents may of course not disclose important information to me, it may be mental health problem or child abuse or something, because they do not want to talk about that"

Some family workers also try to work with the concerns of the social services, but they do not start there

Child participation throughout the process

- Children's voices are comparatively stronger in the advance judgement phase; it varies more in the investigation phase; and children's voices are very weak in the care phase
- **Children's description of their situation is easily dropped along the way.** In these cases, information from the child seems to be more or less confirmed, but still disappears in the assessment concluding the investigation
- **Children are not sufficiently being heard on what is the problem**

Child participation in the framing of the problem and the intervention's matching to the problems documented in investigation

	The intervention's matching to the problems	
	Poor	Good
Yes	1 case	8 cases
No	27 cases	4 cases

When the child can influence the framing, chance increases for well-matched protection and care: Liv

- Competing framings of the problem: physically abused by her mother for a long time (according to Liv) versus the mother attempts to set a diagnosis since Liv is impossible to handle
- The social worker's analysis and assessment: *"Conflicts have contained violence on the part of the mother ... Liv's mother says the conflicts is caused by Liv's attitude and behaviour" "it is always a parent's responsibility if a child is physically abused in the home"*
- Design of intervention: Treatment to secure that Liv will not continue to be exposed to violence at home, and also treatment to prevent self harm



Implications of findings

- The case of Swedish child and family welfare services illustrates the intrinsic problem with a family service orientation and an exclusive partnership with parents
- Our findings **challenge recommendations that parents shall be engaged as early as possible in defining the problem** in collaboration with social workers
- The tension between parents' and children's framing of the problem is accentuated by parents shifting blame onto their children when they themselves are under investigation for serious lack of care

Underlining **why** children's participation is so important

- An absolute value and right in itself
- Participation in the process may help the child to reflect and deal with the situation, have therapeutic effects and lead to increase in self-esteem, according to previous research
- **Children's participation affects the quality of care**
- **Without child participation, it's more difficult to protect the child against harm - and for the social services to at all fulfil their assigned responsibilities**

Call for a shift of perspective to a child-focused orientation

- **Incorporate children's participatory rights** into existing systems
- It is of relevance for cases of **child maltreatment** as well as for **preventive support** to families
- The child has to be de-familialized, and conceptualised as a separate individual in the family, so that services directed to parents and **services directed to the child** are analytically separated (*Palme and Heimer, forthcoming*)

Towards a child focus: The social services

- Social and family workers can, without waiting for legislative reform, start to make changes in practices today
 ahead of the legislator
- Changes that could break the dysfunctional logic/way of working that has come about as a way to handle the requirement for parental consent.
 for example: **child participation in the care plan,
develop new services directed to the child**

Towards a child focus: The legislative level

- Strengthening children's right to participation
- Weakening the requirement for parental consent for their children to receive services

Sweden: reforms have been very gradual and slow

Looking to Norway: The Child Welfare Act
(Barnevernloven) has become rights-based

(Prop 169 L 2016-2017; NOU 2016:16; Gording Stang 2007)