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Please cite only the published version: Follesø, R. & Mevik, K. (2010). In the best interest of the child? Contradictions and tensions in social work. In H. Forsberg & T. Kröger (Eds.), *Social work and child welfare politics through Nordic lenses* (pp. 97-111). Bristol: Policy Press.

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In The Best Interest of the Child? Contradictions and Tensions in Social Work

Introduction

*One of the main objectives of the Child Protective Services is to give children and families help and support that results in lasting positive changes in their lives. To achieve this, we need continually to develop the knowledge-base of children's services. This means we need research informed methods and practice tools that provide evidence of good outcomes. /.../ [In Norway] the family is used as a resource through family counselling and we have achieved new methods in the Child Protective Services. We participate in creating an equitable and knowledge-based child service across the whole country. We are going to accomplish the development of a highly competent service that centres on the child! We are going to listen to the children! (Karita Bekkemellem Chief of the Ministry of Children and equality)*ⁱ

The introductory quotation is taken from the opening speech at the Norwegian Child Protective Services Congress 19 September 2007 made by the recently resigned Norwegian Children's Minister's. Under the headline '*We want an equal and knowledge-based Child Protection Services*', she refers to some of the commitments made by the Norwegian government to help the nation's most vulnerable children. Firstly, the Minister underlines that *children have their own independent rights*. Secondly, she points out that *the family and the local community are to be involved in decisions and choice of measures taken*. Thirdly, Norway aims for *a knowledge-based child protection service* (ibid).

The Minister's review of the Norwegian government's commitments highlights the questions which are the focus of this chapter. Her statement provides a glimpse the contours of three different movements within the Norwegian Child Protective Services: the movement towards knowledge-based services; the focus on family in protective services; and the commitment to ensuring children's and young people's right to participation.

These three objectives will often have parallel intentions and functions; however, this is not necessarily the case. For example, if a request for help by a child and/or family results in the child remaining safe and at home, the outcome of intervention is undoubtedly a good one. If, in addition, this outcome is the result of appropriate, knowledge-based and inclusive methods, this is even better. However, the question we want to address is what happens if the three movements mentioned do not follow each other. Or to rephrase the question; what, if any, mutual incompatibilities may exist between the three movements? In particular, we ask what space is allowed the child if he/she does not accept the validity or appropriateness of 'accepted' protective interventions such as family preservation? Our focus is on children and young people who receive protective measures from Child Protective Services.

It is neither possible nor desirable to reach final conclusions in these discussions. Instead, our goal is to initiate debate about the child's place and power in the family, and to consider the dilemmas faced by practitioners if children and parents deeply disagree with each other's understanding of what it means to belong to and be safe in a family. We ask what official constraints are applied when disagreements occur, and whether such constraints provide directions and alternative measures with a view to possible solutions.

The text is written with a Norwegian context in mind, but the questions raised have relevance for all the Nordic countries and more broadly within the Western culture. The idea of the family as an institution is strong in the Nordic region, and the same goes for the will to include children and young people in decisions concerning their own lives. The dilemmas that might be found in the incorporating the sometimes conflicting principles evident at the intersecting point between family preservation and children's full participation will in this way not be limited to a Norwegian context.

The Child in the Family

The family plays an important role in the constitution of our society – both by virtue of emotional and social ties, and as a 'building block' of the daily operations of society. The belief that children and parents belong together is a deeply anchored value in the Nordic societies. Ann-Magritt Jensen (1999) refers to children as the last remaining non-exchangeable primary relation between human beings – while marriage and cohabitation may dissolve the child's relation to its parent's remains. In this way children symbolise stability,

integration and lasting social ties between adults in modern society. Our picture of children has changed from being ‘the useful labour’ to being ‘the loved care-burden’ claims Kjersti Ericsson (1996). The child is important to the family, in the same way as the family is to the child.

The idea of the family evokes positive associations, as indicated in the UN Convention on the Rights of the Child, which states: *...the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding* (Preamble to the UN Convention on the Rights of the Child).

It is commonly accepted that happiness, love and understanding (all notions open to interpretation) give the best frame around a child’s life. In most families these benefits exist, and children and parents grow together in well-functioning communities. In other families love as well as care is in short supply. It is a fact that some children grow up with parents who neglect, ignore or abuse them (Bunkholdt and Sandbæk 1993, Killen 1991). The contrasts between the safe and the unsafe family are sharp, as Leif’s story indicates:

– *“Christmas was approaching, and for us this was the worst time of the year. I remember waking in the middle of the night on Christmas Eve, mummy was locked up in the bedroom and my sister was trying to get out of her room. Our stepfather had nailed the door shut from the outside. I ran crying and frightened into the living room, he got angry and took the fire extinguisher and held it up towards my face... I can still remember how painful it was. He threw me out in the snow and locked me out...”*
(Leif in Follesø 2006 p.42).

There are many children with stories similar to the one Leif tell us. How many children who live under such troubling conditions no one knows for sure. What is known, however, is how many children receive one or more protective measures from the Child Protective Services. At the end of 2006 this concerned 40 400 children in Norway. Of these, 33 200 families received relief measures while 7200 children had moved either into foster homes or institutions according to custody decisions (numbers from the Central Bureau of Statistics in Norway). Behind every number there is a hidden story concerning a child and a family. The stories range from those who temporarily receive relief measures to remedy an acute life situation, to those who over time suffer the crudest failure of care.

Since 1896, the Norwegian State has had legislation to ensure adequate care for those children who live in homes where they are neglected. However, through the years, faith in the family

as the best arena of care has varied strongly. Norway's first law concerning child welfare (Law about neglected children's treatment of 1896 / (Lov om forsømte børns behandling fra 1896) reflected a concern for inadequate parents' bad influence on their children, and went far in its recommendations about removing children from their homes to remote places, where they were to be raised in institutions suitable for this purpose. Tove Stang Dahl claims, with reference to Foucault, that the Europe of the 19th century was characterised by a strong faith in the significance of institutions. The 'difficult children' of the Child Protective Services were to be reformed through the discipline of the institutions, at a safe distance from their contaminating environment, i.e. their biological parents (Stang Dahl 1992).

Subsequent legislation, passed in 1953, was based on an alternative view of how child protection work should be performed, reflecting a change in emphasis from condemnation, warnings and removals from family towards preventive measures, counselling, guidance and treatment in the home (Hagen 2001). Current legislation, enacted in 1992, goes even further in underlining children's and parents' belonging to each other. In the Government Report (Stortingsmelding) no 40 2001-2002 concerning protection of children and young people, one can among other things read:

The starting point for the Child Protective Services Law and the government is that it is best for children to grow up with their biological parents. This is seen as an intrinsic value for the child, even though there are shortcomings in the circumstances the parents are able to offer the child, and even though there are others that are better qualified than the parents to take care for him/her. Even though deficit of parental care is shown, and even though the deficit may be partly of severe character, the main rule is that one should primarily try to improve the situation by relief measures in the family.

'The principle of biology' is strong in the Norwegian Child Protective Services. In the directive that follows the government report it states that:

All measures according to the Child Protective Services Law must have the Best Interest of the Child in focus (cs. Child Protective Services Law §4-1. / jfr. Bvl §4-1.) The starting point of the Child Protective Services Law is that to grow up with their biological parents is best for children (Directive Q-0982 / Rundskriv Q-0982).

One of the consequences of this emphasis is that relief measures in the home must be tried before a possible decision to take over custody. These measures are supposed to be primarily worked out and carried out in co-operation with the parents. However, a survey carried out

some years ago shows that the Child Protective Services in some cases withdraw if co-operation does not occur, even though they are still worried about the children's situation (Havnen, Christiansen, and Havik 1998). The study indicates that the most important reason why parents are not followed up was the case workers' obvious reluctance to do something against the will of the parents. Other surveys also referred to with the same dramatic conclusion: When parents resist investigation, cases with potentially serious contents have a tendency to be dismissed.

There is an ongoing discussion in Norway about what weight is appropriate to ascribe to biological ties between children and parents as a value *in itself*. The psychologist Vigdis Bunkholdt is among those who have addressed this question, pointing out that there are several documents that underline the significance of family, among them the The UN Convention on the Rights of the Child, article 9, The UN's declaration on protection of foster children and adopted children, the European Convention on Human Rights. These documents assert that nations are supposed to secure human beings' right to privacy and family life, and also that children are not separated from their parents against their will, intentions followed up by the Norwegian Government. Bunkholdt claims that the distinctive thing about Norway is the special significance that we ascribe to biological belonging.

*What is special here is that the Norwegian Child Protective Services have placed the word **biology** in front of the words **family** and **parents**, and by this restricted the concepts of family and parents to refer only to the biological parents and the biological family. In international circumstances on the other hand, one operates more often with an extended concept of family. (Bunkholdt in Follesø 2006 p.104).*

Bunkholdt underlines the significance of listening to what children and young people themselves say about their relationship to biological origins. She highlights the reliance on opinion and points to the paucity of research-based evidence on this topic. In such a situation, she claims, it is easy to become ideological and insist that what one believes to be right is the appropriate solution. If the Child Protective Services cannot be open to the fact that different opinions exist about various solutions to the question concerning finding one's biological origin, they may risk making decisions that are not in the Child's Best Interest (ibid).

A Knowledge-based Child Protective Services

If we return for a moment to the Minister's speech, we remember her highlighting the necessity for a knowledge-based Child Protective Services: ... "*This means we need research informed methods and practice tools that provide evidence of good outcomes*". In the following text, she refers to examples like PMTO (Parent Management Training – The Oregon model) for children and MST (Multi Systemic Therapy) for young people. Furthermore, she underlines that Norway has implemented five MultifunC-programmes for young people with serious behavioural problems, and also that family counselling is a method that is adopted continually by more local authorities.

The Minister asserts that the Child Protective Services is to be built on methods and measures anchored solidly in research pointing to positive outcomes. A concept often used in this context is 'evidence based knowledge', founded on the research of Evidence Based Practice (EBP) and Evidence Based Research (EBR) (Marthinsen and Tjelflaat 2003). Traditionally located within a 'medical model', the somewhat ambiguous concept *evidence* has now become widely accepted in other disciplines, – including social work and child protection. Evidence is often translated – if somewhat vaguely – to mean *proof*, and is often attached to scientific research where facts appear as irrefutable. Evidence-based social work has had, and has, a large number of critics, one of whom is the Swedish professor Sven-Axel Månsson from the University of Göteborg, who claims that the assumptions underpinning a concept imported from medical thinking cannot adequately capture the complexity of the processes, relations and conditions that characterise social work (Månsson 2000).

Corresponding objections are identified by Bjørn Øystein Angel (2003), who argues that the knowledge-view of evidence-based programmes is founded on the possibility of relocating knowledge gained from studies on the group level to define and address problems on an individual level. Angel points out that the research approved to be used in evidence-based programmes is faced with rather special demands: It is built on randomised studies which are put into a database making it possible to carry out meta-studies. From here, generalised knowledge can, in principle independent of context and person, be collected. With reference to Braaten (1983), Angel discusses further how this theoretical and generalised knowledge gives a model monopoly that works as a knowledge norm in our society. The evidence rhetoric is unconditionally powerful: ...*because the gospel of evidence promises much: a quality secured practice that builds on knowledge* (Ekeland 2007).

Evidence-based knowledge and practice could have been made a large and comprehensive topic. Rather than going into the many possible debates, we want to focus on a specific example, which presents what a girl thinks that has lived large parts of her life under the custody of the Child Protective Services. Janka was 21 years old when she participated in a project where young people told about their experiences with the Child Protective Services themselves – both good and bad. She says:

I have the impression that it often becomes 'either/or' thinking. For example when something new from the USA appears that has given good results, it is introduced in Norway with an expectation that this is a new wonder method. It may work, but problems arise if and when this becomes a replacement rather than a supplement to earlier measures.

If one looks on children of the Child Protective Services as a homogeneous group one type of measures may work for all. But this is not the way it works! Many of the measures existing today are about trying to give relief to families. However, one must not forget that some families just do not work, even though relief measures are applied. Sometimes the young person obviously needs to move, but MST is still the chosen measure. This means that the young person stays in the family even though everyone knows that this is a bad solution.

I think that I still haven't met a young person who says that he was moved too early. They are removed from the home too late. There may be many reasons for this, partly in relation to the young people themselves. Many have experienced being so strongly attached to their parents that someone else has needed to intervene and take responsibility for something to happen. No matter how awful the circumstances of a young person are, it might be totally impossible to say that 'I want to move!' From the Child Protective Services' point of view, everything is to be tried first. If your mummy hits you, it is possible to arrange it so that you are not that much at home during the weekends. Or first one has to find out how much she hits. This takes time. A lot of time! And all this time, the child stays in the home, also when the social worker leaves – It does not help that the child who is in an acute emergency situation that the case worker promises to start on her case the first thing in the morning. Or over the weekend – For a child or a young person these hours or days may become extremely long, and give extensive consequences (Janka in Follesø 2006 p.67).

Children and Young People's Participation

The Child Protective Services' primary task is to secure a safe childhood for vulnerable children and for families where children and parents' interests are in conflict. To risk talking and listening to children, and including them in genuine participation processes is both important and challenging. However, the requirement that children are to be listened to is constituted both in the UN's Convention on the Rights of the Child and in Norwegian legislation. In the law, it is stated that children from the age of seven, and even younger if they are capable of forming their own views, are to be informed and given the opportunity to

express themselves before decisions are made in cases concerning them. It is emphasised in the UN Convention that the child's opinions are to be weighted according to the child's age and maturity (Norwegian Child Protective Services Law § 6-3).

This emphasis on participation shows a change in our understanding of children, an increasing recognition of children and young people as citizens with independent rights in our society. Looking back in time, the virtues of obedience and submissiveness were something that both parents and society wanted from their children. Children were to be seen, not heard. Right up to 1950 there are readings about the importance of raising one's children to submissiveness in literature on raising children (Rudberg 1982, Hagen 2001). This literature alters in line with new knowledge and changed structure of society, and can be read as a concretisation of what society demands of its citizens in different social positions (Rudberg 1982). Hence one can imagine that qualities like independence and social competence, regarded highly today, are qualities that make it possible for the child to manoeuvre an increasingly complex society. New requirements of employees, such as flexibility and creativity, are qualities that correspond poorly to earlier times' claims for obedient submissiveness. In school, the student who acquires knowledge independently is rewarded, something which demands both social and intellectual competence in children and young people.

In both sociology and psychology there are presentations of new perceptions of children. Sociological researchers have in recent years developed approaches and methods that make it possible to investigate children as active social participants, and childhood as a phase in life with its own social dynamics (Satka and Bjørk Eydal 2004). Within developmental psychology, increasing attention is paid to children's interaction with their peers, where children both affect and are affected by their horizontal relations. Previously, the vertical relations – between parents and children – were weighted unilaterally.

The Danish development psychologist Dion Sommer (2003) is one of many important contributors to new research and documentation concerning children's competence in interacting with others. This capacity, he argues, develops in the child's social network, in kindergarten, in school, among peers, in the family – in short where children and young people live their lives. Sommer contributes to an understanding of the child living *here and now*, and with that he challenges the understanding of the child as one that *is becoming* (human beings – not human becoming). The understanding of the child as someone who is to

become something else, an adult, implies *'a gesture of reducing the child as a person, a gesture towards an objectifying attitude towards the child'* (Botnen Eide 2001 p.205).

New words and expressed wishes to include children as active participants are, however, not necessarily followed up by action. Old practice may continue dressed in a new language costume. Some of the challenges of including children more actively have been discussed by the previous Nordic Ombudsmen for Children, who in 1999 published the debate contribution *'The Good of the Children in Our Present Time'*. This document argues strongly that the implementation of the UN's Convention on the Rights of the Child is both a long and a tiresome process, reflecting the continued privileging of adults' interests and the associated paucity of structures that give children and young people genuine possibilities of exercising any influence. It remains an unfamiliar thought for many adults that children and young people may have something important to teach the adult population. The Ombudsmen claims that if implementing the Convention is to be possible, a change in adult's attitude must occur. First and foremost adults must acknowledge the fact that children and young people have a competency society needs.

Research also reveals that it takes time before new ideas are followed by new understanding: Clare and Mevik (2008) performed a study of Australian and Norwegian social worker educations to find out what students in the two countries are taught about children and childhood in the late modern Western culture. The study was carried out by studying curricula of the social work courses, followed up by elaborative interviews with the teachers in the schools. The topic of the study a consideration of how well students were taught about children and modern childhood, children's rights, and children's participation and involvement in decision-making. In addition to exploring their awareness of new understandings about children and childhood, the teachers were asked to present how they equip students with skills and attitudes that enable them to work with and for children. The study shows that children and children's relationships are given little attention as topics in the social work education in either country. A significant difference between Australia and Norway, however, was the Norwegian will and wish to change this practice.

A conclusion that can be drawn on the basis of this study is that children's rights, constituted in both the UN's Convention and in the respective countries' legislation, is made invisible by the absence of a clear focus on children as citizens with competence and qualities to

participate and engage in relations concerning their lives and development. In students' examination papers the 'pathologised-appendage-child' (ibid) is depicted, dependent on adults knowing best what children need and want. Even in Norwegian Social Work courses, where curricula and teaching were changed for the very reason of exhibiting the competent child, students resorted to psychological explanations which have not adapted to a changed knowledge of children's development and growing up in the late modern society. Rather than directly including children, in both countries the path to the child and to understand children and children's needs goes through parents and other adult authority figures, with an implicit understanding that these adults act in accordance with what is best for children. Similarly, in both countries, the educational focus on communication skills and development of trusting relations is mostly directed towards adults, with the consequence that social workers after ended education have insufficient knowledge about, and skills in, talking to children with their needs, wishes and competence as a starting point (Clare & Mevik 2008).

Contradictions and tensions

Let us return to the three arguments outlined in the opening statements made by the former Norwegian Minister. She underlined children's own independent rights; she argued for the involvement of the family in measures taken to protect children; and she emphasised the need for a knowledge-based child service. Through our discussions we have pointed to some possible tensions that can occur in fulfilling these intentions. By moving a step further into the reflections, some contradictions can be traced between these three movements in the Norwegian Child protection.

As in many other countries, an underpinning principle in the Norwegian child protection legislation is the principle of the Best Interest of the Child. This principle is based on the UN's Convention on the Rights of the Child, where we can read in article 3.1:

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Emphasis on the best interest of the child, however, has to be negotiated along with other interests. In such negotiations, the voice of the child might be weak and some times hard to hear. Research indicates clearly that professionals often avoid asking children about their

opinions. One example is to be found in a publication made by the Norwegian legal practitioner Marianne Aasland Gisholdt (2007), who has examined whether children are heard in a number of cases in which petitions for transfer of child custody have been filed. Gisholdt argues that there are few decisions that impact so dramatically in a child's life as when her/his residence is to be changed and determined. This is well known from breakdown of relationships where children are largely attached to both their parents, and it is most likely that the decision is far more dramatic when it concerns moving to people who are unknown for the child. According to conventional as well as legal texts, the children involved in such circumstances should get a possibility of pleading their case if they are able, and their wishes should be taken into proper consideration in decisions made.

Gisholdt has reviewed 70 decisions made by the Norwegian Family Court during a period of two yearsⁱⁱ, and in 56 of these cases a decision was made to transfer child custody from the parents to official authorities. From the total material she shows that in 34 of the decisions (including 48 children in total) the children's viewpoints were neither referred to nor commented on by the court:

In the 34 decisions, there are neither statements from the child concerning the actual circumstances, 'witness statements', nor statements concerning the decision to transfer custody for the child (Gisholdt 2007 p.117).

Of the children referred to here, 26 were under seven years old, 13 in the age from seven to eleven, while 9 children were between twelve and sixteen years old.

The main point in this connection is not to document how many times children and young people are not heard, but rather to underline the point that the absence of children's voices is an existing challenge. The examples presented in this chapter give opportunities to raise questions concerning how professionals might explain the frequent failure to include children in such important life decisions. It might be a resistance among both professionals and laymen to see the child as a credible person with opinions and wishes that have to be considered with the same respect and seriousness as the views of adults, which Clare and Mevik's study indicates (2008). It might also be possible that the child's story, to the degree it is made an object for consideration, is explained and reinterpreted from the assumption that children are immature and lack the ability to understand their own best interest.

There is a possible tension inherent in focusing both on the family and the child in decisions and choices of measures in the Child Protective Services. The task of the Child Protective Services starts where parents – according to their own or others’ opinions – cannot meet the demands of daily care in the family. The Ministry of Children and Equality states explicitly that the best help children can get will be help given within their families. Child Protection Service professionals are expected to focus upon all aspects of the situation under which families live and to stimulate the latent resources of families. This focus represents a preventive emphasis, expected to result in more well-functioning families and fewer cases of neglect, abuse and behavioural problems (With 2002ⁱⁱⁱ). The Child Protection Service is assumed to be in harmony with the declaration, which constitutes the basis of the present Norwegian Government.

The conflicts within some families however, will sometimes be strong and pervasive. Some children and young people clearly state that they *do not* want to stay with their parents, others show great ambivalence. One example, provided by a 20 year girl named Helen illustrates the difficult situation a child can be captured in:

It wasn't easy for Helen either to make up her mind, or to make good decisions in all the choices she was facing at this time. She really wanted to leave her family home. At the same time she really wanted to stay. Her dream was that her parents would stop arguing, that her mother should recover from her mental illness, and that her family situation should start to normalize. At the same time, she knew this would probably never happen. The child protection services started, in cooperation with Helen, to prepare a court case with the intention to place her into another family. Due to the Helen's age, a central point in the preparatory proceedings was to take her wishes into consideration. Helen stayed home during the preparatory proceedings. Her parents, especially her father, blamed her heavily for the "gossip" she had spread about their family. During this period, gradually, the atmosphere in the family changed. Her father's anger turned into sadness and sorrow, and his violent behaviour decreased. Helen didn't know what to believe. Her feeling of having disappointed her parents became an increasing burden, and her hope of a quiet and normal family situation grew. As a result of this confusing ambivalence, Helen finally decided to withdraw her report to the Child Protection Services. As a result of this, Helen remained in her home, with lack of care and support as a consequence (Helen in Follesø 2006 p.55).

In quite a few cases, the Child Protective Services file a petition for child custody. If the child is under 15 years of age, they are without independent legal rights, but they are appointed a spokesperson, who will plead their case during the legal proceedings. The spokesperson meets with the child before the trial with an aim of revealing the child's thoughts and wishes, which

then are to be passed on to the members of the court. Through the spokesperson, the children may, among other things, express a wish to move from their parents, and indicate that they want to live with someone more capable of taking care of them. They may, as in Helen's case, tell about their parents' drinking, about violence, fear and loneliness. Even in these cases, and even if the child clearly ask for another home, the child's wishes will not necessarily lead to any changes regarding place of residence. An important question to address, therefore, is how the child's opinions are entered into these decision-making foundations. A tentative conclusion is that the principle of children's individual rights can conflict with the principle of involvement by the family. Given the current dominance of biological arguments, which strongly emphasise the strength of 'blood-links' between a child and its parents, this question seems to be highly relevance.

Another contradiction can be traced in the co-location of the interest of the child and a knowledge-based child service. It's not possible to enter a comprehensive discussion regarding knowledge in social work within the frame of this chapter, but some specific issues need highlighting. Like many other subjects, Social Work as a profession strives to define its own knowledge base. According to the Australian researcher Karen Healy, social work faces a number of challenges in this struggle. The legitimacy of any profession, Healy claims, is linked to practitioners' capacity to articulate their own knowledge foundations. One possible answer to this challenge is to build a scientific, evidence based foundation of the profession. Such an approach, Healy warns, have several limitations:

...scientific methodologies based in positivism are often inappropriate for knowledge building about social work practice. One reason is that these methodologies, such as mainstream inferential statistical techniques, seek to establish a linear relationship between one variable (the independent variable) and another variable (the dependent variable). In human relationships, such variables are difficult to isolate. (Healy undated p.22)

Similar reflections are to be found in texts written by Pedro Morago, Lecturer at The Robert Gordon University in Scotland. The paradigm of evidence-based practice has, he states, generated:

...not only great enthusiasm in many areas of the social work profession but also an intense debate about the transferability of the principles of evidence-based practice from medicine to a discipline that operates amidst particularly complex and multifaceted societal factors (Morago 2006 p.461).

In spite of his warning, Morago points at several reasons for embracing the evidence-based approach in the field of social work. He argues the promoters of evidence-based practice claim that because policy-makers and professionals may cause more harm than good when intervening in the lives of service users, their decisions should always be informed by empirical evidence:

Certainly, the medical literature provides a few examples of how interventions - some of them very popular - the efficacy of which has not been rigorously evaluated, may have harmful consequences for the health of individuals. One of them is the practice of accustoming babies to sleeping on their stomach, which is believed to have caused sudden death to thousands of infants over the last three decades (Morago 2006 p.465).

Also in the area of social interventions we can find examples of how good intentions do not always lead to good results. In such a context, evidence-based practice seems to appear as an optimal tool in order to adapt well-informed decisions and to avoid or reduce risk.

It is not at all hard to agree that social work ought to be both helping and supporting, and not lead to anyone getting hurt. The question, however, is whether evidence-based practice is the right way to prevent people from getting hurt and harmed. There is probably no great disagreement concerning the need for a knowledge-based Child Protection Services, or that considerations must be made on a professional basis. It is, however, a paradox if a particular viewpoint is given prime status as evidence. Evidence-based practice is being challenged for giving excessive prominence to quantitative methods of evaluation. This might exclude other methods that provide more specific information about people's values, preferences and needs. Such an approach might narrow the understanding of knowledge, and prevent that the experiences children and young people have themselves are given their rightful place in the manifold knowledge base the Child Protective Services need. Under these circumstances it is helpful and necessary to remember that all kinds of social work must be understood contextually and communicatively (Ekeland 2007).

If children and young people are to have the possibility of participating with their experiences in a fair way, there must be arenas in which they feel safe to do so. Such arenas must be created in fellowship – and in this process it is not only necessary to teach children, but also to learn from them. This process might be both difficult and challenging, but may still be necessary if professionals really are to listen to the children. Such an approach will also

influence on the way research is to be carried out, and the contributions made through evidence-based research alone are not sufficient. As Healy states, the expertise of service professionals lies less in the command of a specific knowledge base, than in the understanding of processes to promote participation in knowledge building within diverse contexts of social work practices (Healy undated p.24). A participatory approach, associated with greater involvement by service users, might lead to changes in what is trusted upon as “truths” in social work.

One possibility of embracing and practising these aspects exists in the *dialogue*. For the case here Freire’s definition of dialogue is helpful:

And since dialogue is the encounter in which the united reflection and action of the dialoguers are addressed to the world which is to be transformed and humanized, this dialogue cannot be reduced to the act of one persons ‘depositing’ ideas in another, nor can it become a simple exchange of ideas to be “consumed” by the discussants /.. / It is an act of creation; it must not serve as a crafty instrument for the domination of one person by another.” (Freire 2003 p.88)

Freire’s thoughts break with the traditional hierarchical idea that conversations between children and adults are about passing on knowledge from the learned to the ignorant. This includes relations between teacher and student, professional and child under the Child Protective Services, etc. According to Freire, human being’s opportunities lie in the ability to reflect on and consider their own lives within equal communities where people meet each other with interest, trust and expectation. This requires, however, that children and adults must be valued equally, and that they must be included with the same respect regardless of age, status and position. Furthermore, in an equal relationship, the parties’ thoughts, feelings and understandings of themselves will be weighted in the same way, without being corrected or met with a moralising attitude. How can the adult, who is in a powerful position in relation to the child, manage to create a reciprocal dialogue?

Several researchers bring forth the *appreciative attitude* as an ideal to strive for in interaction with other human beings, children included (Bae 1988, Løvlie Schibbye 1988, Aamodt 1996). This requires taking the child’s experiences and opinions seriously, and relating to these in respectful and interested ways.

In this chapter we have referred to three different movements within the Norwegian Child Protective Services and posed questions concerning the role the voice of children and young people may have in this picture. If family preservation is the dominant intervention, what does it take for a child to be given the possibility of breaking out of her/his family? And if the Child Protective Services is to be based on methods that have a documented effect, what does it take then for a child or a young person to get the help they need if the range of methods available does not include methods appropriate to them? One critical objection of these methods is the lack of emphasis put on the child's own wishes and opinions. We have wanted to force the issue well aware of the fact that the field of child protection comprises nuances and variations that are not included in our text.

There is probably no great disagreement neither concerning the need for a knowledge-based Child Protection Service, nor that considerations must be made on a professional basis. It is, however, a paradox as pointed to earlier if *current knowledge* is equated to *evidence*. This may narrow the understanding of knowledge, and exclude children and young people's experiences. Children's voices are needed in order to accomplish the development of a highly competent Child Protective Service. Along with other sources of knowledge, children must have their rightful role in building the manifold knowledge base needed in this area of Social Work.

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ⁱ http://www.regjeringen.no/nb/dep/bld/dep/minister/taler_artikler/

All quotations from the Norwegian texts are translated by the authors

ⁱⁱ The period referred to here is 16.4 2004 – 11.5.2006 (ibid p.48)

ⁱⁱⁱ Odd Anders With, Deputy Minister ("Statssekretær") of Children and Family Affairs