

# Children Expressing Their Views in Child Protection Casework: Current Research and Their Rights Going Forward



Asgeir Falch-Eriksen, Karmen Toros, Ingrid Sindi, Rafaela Lehtme  
Oslo Metropolitan University, Tallinn University



## Introduction

Article 12 of the UN Convention on the Rights of the Child (CRC) provides children with the right to express their views in matters that affect them, particularly those of an administrative and judicial nature. Accordingly, to abide by the CRC, practitioners must ensure that any child capable of forming personal viewpoints be allowed to freely express these viewpoints in all matters affecting them. Hence, it is the child's freedom of expression and not merely their freedom of speech that must be ensured.

While interpreting Article 12 of the CRC appears to be straightforward, the participation of children in child protection service (CPS) casework practices remains one of the most complex, sensitive and challenging areas of social work practices (Cossar et al., 2016). Various studies emphasise children not participating, not being listened to and not heard in child protection practice throughout last decade internationally (e.g., Caldwell et al., 2019; Kosher & Ben-Arieh, 2020a; Lauri et al., 2020; Percy-Smith & Dalrymple 2018; Toros, 2020).

A further demand towards rights-based CPS casework is that decisions must be reached with the best interests of the individual child as a primary consideration (cf. UNCRC 3.1). To qualify decisions to be in the best interest of the child, the child's opinions and preferences become imperative. Thus, Article 12 has become a cornerstone of the CRC and a hallmark for any practice claiming to abide by the rights of the child (Bennouna et al., 2017).

## Findings

Three main themes emerged from the data analysis, highlighting consistent elements regarding children's participation across various practice contexts in the last decade.

### Children's experiences of participation:

- Minimal, limited or no participation in CPS casework practices (Arbeiter & Toros, 2017; Balsells et al., 2017; Cossar et al., 2016; Husby et al., 2018; Pölkki et al., 2012; van Bijleveld et al., 2014; Woolfson et al., 2010).
- Complete lack of communication or interaction with the child (Diaz et al., 2018; Pert et al., 2017), and thus a complete disregard for Article 12.
- Feeling overlooked and silenced (Fylkesnes et al., 2018), which ultimately left them unsatisfied with their level of participation within the investigatory process (Cossar et al., 2016; Woolfson et al., 2010). Inadequate knowledge and understanding about the process (Balsells et al., 2017; Cossar et al., 2016; Husby et al., 2018; Muench et al., 2017; van Bijleveld et al., 2014; Woolfson et al., 2014), the motives behind the process (Mateos et al., 2017; Pölkki et al., 2012) or the meaning of what was said (Cossar et al., 2016).

### Obstacles for children's participation:

- Turnover or frequent changes of the worker (Diaz et al., 2018; Dillon et al., 2016).
- An unclear understanding of the involvement and/or role of the worker (Arbeiter & Toros, 2017; Cossar et al., 2016).

### Factors facilitating collaboration and participation:

- Being heard and listened, including active listening and careful listening (Cossar et al., 2016; Dillon et al., 2016; Husby et al., 2018; Munford & Sanders, 2015; Pölkki et al., 2012; van Bijleveld et al., 2014).
- Showing understanding of the child and their situation, which facilitates collaboration that leads to participation (Arbeiter & Toros, 2017; Husby et al., 2018; Mateos et al., 2017; Munford & Sanders, 2015).

## Aim

This presentation outlines the academic discourse in child protection research concerning how Article 12 of the CRC is implemented and how it is manifested in child protection service (CPS) casework practices.

## Keywords

Child participation, child protection casework, systematic literature review, decision-making, child's voice

## Method

The systematic review was performed following the principles of the PRISMA statement and includes 16 peer-reviewed articles published in English in academic journals from multiple scientific databases (e.g. Cambridge Journals, Academic Search Complete, ScienceDirect) from January 2009 to January 2019.

The following search terms were entered into search engines: "child participation" AND "child protection" and "child voice" AND "child protection". A total of 314 articles were identified through database searching (see Figure 1 for the screening process). After removing duplicates (N = 38) and screening for eligibility (the combination of search term in the title, abstract or keywords; primary research focusing on the experiences or perspectives of professionals working with children regarding decision-making in the CPS), 16 studies from 8 different countries published during 2010–2018 remained for final inclusion in the systematic review (see Table 1). Thematic analysis was used to analyse the data.

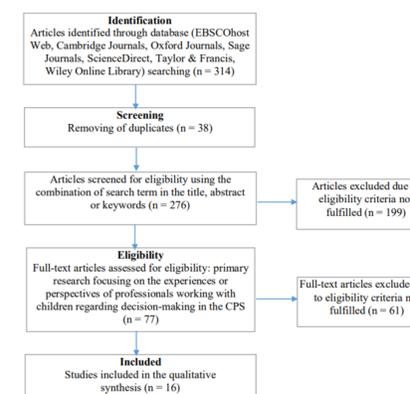


Figure 1. PRISMA flow diagram: Identification, screening, eligibility assessment and inclusion of the articles

Table 1. Overview of the articles included in the analysis

Study	Country	Sample Size	Age	Method	Key findings relevant to the present study
Arbeiter et al., 2017	Estonia	11	7–15	Semi-structured interviews	Not all the children were engaged in the assessment process.
Balsells et al., 2017	Spain	30	12–20	Semi-structured interviews, discussion groups	Children had little or no participation in the decisions.
Cossar et al., 2016	England	26	6–17	Activity-based interviews	In some cases, young children had minimal contact with their social workers.
Diaz et al., 2018	England	10	11–17	Semi-structured interviews	Most of the children played no part in decisions.
Dillon & Hills, 2015	England	5	12–17	Interviews	Children were all able to identify positive changes that occurred as a result of being listened to throughout the process.
Fylkesnes et al., 2018	Norway	6	17–19	Narrative interviews	Participants shared their experiences of being listened to and acted according to the wishes.
Husby et al., 2018	Norway	10	9–17	Semi-structured interviews	Children found it difficult to recall situations where they had been involved in meetings or in decision-making processes.
Mateos et al., 2017	Spain	30	12–20	Focus group and semi-structured interviews	Children reported receiving little information on the decisions, they asked to be more involved.
Muench et al., 2017	England	22	8–18	Semi-structured interviews	None of the children who had attended a conference had been told the outcome of the meeting.
Munford & Sanders, 2016	New Zealand	605/109	13–17	Mixed methods: survey and semi-structured interviews	Participants reported that they often did not know why things happened, there as an absence of explanations for decisions.
Pert et al., 2017	England	25	8–17	Interviews	Participants felt disassociated from the outcomes of their LAC review.
Pölkki et al., 2012	Finland	8	7–17	Semi-structured interviews	Children wanted their opinions to be heard and listened to.
Roesch-Marsh et al., 2017	England	26/10	12–18	Mixed methods: survey and interviews	Positive relationships were central to achieving any level of participation in reviews.
Søbjaermsen & Willumsen, 2017	Norway	5	13–16	Semi-structured and thematic interviews	Trust was mentioned as a base for achieving useful collaboration.
van Bijleveld et al., 2014	Netherlands	16	13–19	Semi-structured interviews	Although participants acknowledged that their opinion was asked, nevertheless they felt that no one listened to them.
Woolfson et al., 2010	Scotland	11	12–17	Semi-structured individual interviews	Various experiences of children were reported, including not being listened to and the opportunity to share thoughts.

## Conclusion

Article 12 is a right of the child that only makes sense when it is embedded in a system of human rights that adhere to a human rights ethos guiding practices. To ensure that Article 12 is implemented, CPS practitioners must not only be able to work for the children, they must also be able to work *with* them. CPS casework practitioners who wish to enforce the CRC and Article 12 as a right to freedom of expression must be able to interact with any child and evaluate maturity and age.

## Recommendations

The findings underscore the need to re-evaluate and develop CPS work further to include children. In such an effort, research plays a major role and, therefore, more research needs to be undertaken, including asking about institutional arrangements, adequate resources and social work education, with the aim of working towards rights-based practices within CPS and how children can best be supported to express their views. This requires taking a step ahead and dive deeper into what Article 12 entails for CPS casework practices in total and not merely map out whether CPS includes children in decision-making.

## Contact

Karmen Toros [kai@tlu.ee](mailto:kai@tlu.ee)  
Asgeir Falch-Eriksen [asgeirer@oslomet.no](mailto:asgeirer@oslomet.no)

## Funding

The research was funded by the Estonian Research Council with the personal research funding granted to the project *PSG305 Effective participatory discourse: Experiences of participants' engagement in the context of child protection assessment practice*.

## Article reference

Falch-Eriksen, A., Toros, K., Sindi, I., & Lehtme, R. (2021). Children expressing their views in child protection casework: Current research and their rights going forward. *Child & Family Social Work*, <https://doi.org/10.1111/cfs.12831> [in press].

