



Child Care Law Reporting Project

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Nordic and Finnish Child Welfare Systems

Professor Tarja Pösö,
University of Tampere, Finland



The art of balancing between family services and child protection: the Finnish experiences

Professor Tarja Pösö
School of Social Sciences and Humanities
University of Tampere, Finland
tarja.poso@uta.fi



Child protection in the Nordic countries

The first Child Welfare Act in the world was introduced in Norway in 1896 (Dahl 1985)

- It included both neglected and 'asocial' children
- It introduced 'municipal welfare boards' as decision-makers
- This frame was followed by other Nordic countries – Finland was the last one to introduce its first child welfare act in 1936
- This frame is – in a general way – still present in the Nordic child welfare systems
 - Family-service, welfare orientated systems (Gilbert, Parton & Skivenes 2011)

The 20th century was marked by legislative reforms in social policy and family policy and the recognition of children's rights



The Nordic child protection systems

Orientation towards family-services

- Low threshold for services; a wide array of childhood and family problems
- Emphasis on voluntary in-home services
- Care orders as the last resort
- Children's rights and the child's best interest as the leading principles as well as respect for parental rights
- Close interaction with universal services for families and children but still a separated system

Yet: no single 'Nordic system' but a lot of variation among and within the Nordic countries

- In Finland there are more than 300 municipalities for a total population of 5.4m implementing the legislation
 - Variation also within municipalities!



A (very) short history of Finnish child protection legislation

The first Child Welfare Act in 1936

- The right to remove a child was given to the public authorities

The Child Welfare Act in 1983

- Child protection as a form of social services
- Introduced in-home services as the core service of child protection and the principle of child's best interest

The Child Welfare Act in 2007 (www.finlex.fi)

- Children's rights
- 'The child protection process': more formal decisions
- Administrative courts became the decision-making bodies of involuntary care orders



As a result, there is a system in which

Children enter the child protection system either through notification or their own (or their parents') request

- In 2013, notifications were given 6 per cent of all children under 18

If the child protection services are needed, voluntary in-home services should be provided first

- In 2013, 8 per cent children out of the whole child population received in-home services

In case of urgent needs, emergency placement may take place

- For 30 days first, 60 days at maximum
- In 2013, 4 202 children were in emergency placements

Care orders may be introduced only when in-home services are not relevant

- Voluntary and involuntary care orders
- In 2013, one per cent (10 735) of all children were in care. 22 per cent of them were in involuntary care.



... in which ...

The decisions are guided by the assessment of the child's needs and best interest

Most children in the system are above 12-13 years of age

Most formal decisions are made by social workers

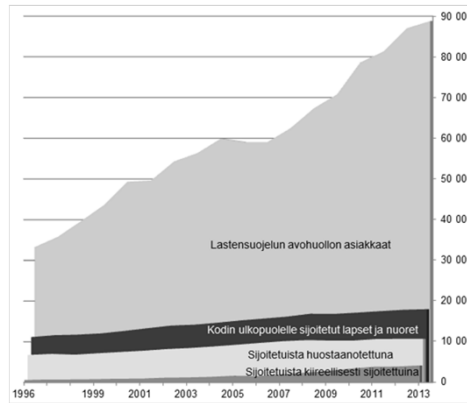
Most decisions are based on consent by the custodians and the child if 12 years or older

When decisions are made by the administrative courts, they tend to follow the social work proposals

Many services are delivered by non-public agencies and 'purchased' by the local authorities



Children receiving in-home services (light blue), in out-of-home placement (ililac), taken into care (light green) and in emergency placement (green) in 1996–2013*



* Henkilötunnuksia sisältävän sijoitetujen lasten ja nuorten rekisteritietojen lisäksi kerätään tilastotietoa myös lastensuojelun avo-huollon asiakkaista. Osa lastensuojelun avohuollon asiakkaana olevista lapsista ja nuorista sisältyy kodin ulkopuolelle sijoitetuihin. Kuviossa esittelyjä lukumääriä ei voi laskea yhteen.

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'The child protection crisis'

Serious concerns have recently been expressed about

- The number of children in the system and in out-of-home care in particular
- High public costs
- Lack of qualified staff
- Inconsistent quality in services
- Lack of a child-centred approach in practice
- Poor outcomes for children (register-based studies)
- Fragmented knowledge of and research into child protection
- Poor monitoring of services in alternative care
- And other concerns

In short: The role of child protection has become contested

- However: In 2013, only 8 people under 18 served a prison sentence

As a solution to the crisis: new legislation in social services in 2015 suggests new preventative services available to families

- Shift from child protection to general family services

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Balancing between family-services and child protection

Two critical points about the philosophy of Finnish child protection are embedded in the present view on 'child protection crisis'

- Welfare/service approach is important but more should be done especially in other services
- Family is important but more should be done with children



Welfare/service approach revisited

The dilemma:

- 'The emphasis on in-home services has not reduced the number of placements in care' and 'Being in care is not always beneficial for children'
- The suggested way forward tends to increase supportive and preventative services (easy access, 'ordinary family troubles') outside the child protection system
 - This may re-focus child protection services; it may also narrow the philosophy and services of child protection
 - The issue of coercion and voluntarism in child protection has not been addressed by the recent reviews of the state of child protection



Family and child centred approach revisited

The family-centred approach has been to some extent replaced by the child-centred approach

Yet, the messages from the 'experts by experience' (children in care) suggest that the rights, views and needs of children are still overlooked.

- A recent change in legislation asks social workers to record the times/hours they speak with children to guarantee that children are paid enough attention in the child protection system.

A very principal question: how can child protection be truly child-centric without losing the view on family relations and other social relations of the child?

- Inter-dependencies instead of independency
- Either/or or both?



In conclusion

The Finnish child protection – as well as the other Nordic child protection systems – has high ambitions for providing support and services to children in vulnerable positions

The functioning of these systems is, however, criticised from different perspectives

- In Finland, the key principles of the child protection system (welfare/services, children/families) are now under debate

The demands for changes are common in European countries: child protection is a shared puzzle

The Finnish/Nordic experiences suggest that the ultimate solution has not been found there (yet?)



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