

Children in Norway – Welfare and Protection

Torill Tjelflaat, senior researcher

Jim Lurie, senior researcher

NTNU Social Research

The Regional Child Protection Research Unit

To: IUC – Electronic Journal of Social Work

Norway and the HDI

Norway tops the human development index (HDI) made by the United Nations Development Program (UNDP) again this year. The index is a summary measure of a country's human development. It measures the average achievements in a country on three basic dimensions:

- A long and healthy life, as measured by life expectancy at birth;
- Access to knowledge, as measured by the adult literacy rate and the combined gross enrolment ratio in education; and
- A decent standard of living, as measured by GDP per capita in purchasing power parity (PPS) US dollars.

This years HDI used data from 2007, and comprises 182 countries (Human Development Report 2009). The director Fraser-Moleski of the UNDP says that Norway has many good priorities that are important for the development of a social, responsible society.

As a comment to the HDI, the Norwegian prime minister points out that the report is a recognition of the Norwegian welfare model, of the way the society is organised, and of how Norway takes care of citizens that fall outside the security net.

Even if such a rating is debateable, there is no doubt that children and families in Norway have many benefits that promote a good and secure life where they can make many choices on how to live and organize their family life. It is fair to say that Norway is a good country for children to grow up.

In this article we will take a closer look at conditions that have led to this favourable situation, and describe some of the benefits that promote welfare for families and children. We will also consider some critical comments and future challenges.

Welfare

There are many reasons for the favourable development of the Norwegian society. First of all, social policy has its basis in the Nordic welfare model that has three major pillars of the modern Nordic welfare state; social security, health care and free education. Values of equality and distribution of benefits in order to take care of its citizens are emphasized.

Norway has also a very prosperous economy that makes it easy to implement the principles of the welfare state. But it has not always been this way. Norway has changed from being among the poorest countries in Europe at the beginning of the last century, to being one of the richest. This is mainly due to large oil deposits in the North Sea that were discovered in the 1970s. Much of the income from the oil industry is saved in international funds and stocks; including savings to secure citizens in the future. Norway's economic situation has also led to an increase in the public welfare system aimed at benefits for all residents including children and families.

Caring for children and children's rights

Implementation of legal rights that safeguard a country's citizens is of central importance in a welfare state. This is particularly important for children. Norway has a long history with regard to protecting children's welfare that started more than 100 years ago.

Norway was the first country in the world to establish a "child welfare act"; "Lov om forsømte barn" – "Vergerådsloven" of 1896. The act was a consequence of concern about how children with severe behavioural and criminal problems were being treated. According to "Vergerådsloven", upbringing and education should replace imprisonment. There was a huge optimism about the law whose aim was to give children better protection and rights.

Although the intention of strengthening children's social status and rights was clear, it took a long time before this became a reality. In the first half of 1900, many Norwegian children lived under critical conditions where their basic needs were not fulfilled; this also affected

many children in care (Granskingsrapport 2007). Poverty among Norwegian families was severe before, during and after World War II. The Norwegian welfare state was far away in the future. Most of the families had to manage their lives by themselves as social benefits were marginal. Many fathers were unemployed, or earned too little to take care of a family.

“Vergerådsloven” was replaced by “Lov om barnevern” – “The Child Protection Act” of 1953. According to Hagen (2001) the act emphasized a new understanding of, and new approaches to families with problems. It was no longer condemnation, warnings and removals from home that should guide thinking and actions, but prevention, home-based help and advice to families in need. The principle “In the best interest of the child” was introduced. The child’s perspective was strengthened; with an understanding that “the child has and gives values”, and that the needs of children should be a leading principle in child protection work. Lindboe (2006) states that the Child Protection Act changed the ideology for children needing out of home placements; from a criminal political to a social political understanding.

The 1980s represented in many ways an important shift with regard to taking children seriously. This was reflected in new laws issued, and political actions aimed at securing the autonomous status of children and their legal rights.

In 1981, “Lov om barneombud” – “The Ombudsman for Children’s Act” was passed, and Norway became the first country in the world to appoint an ombudsman for children. The intention with the ombudsman was to establish a neutral body that should speak out for children, be responsible for safeguarding children’s interests in the society, and for monitoring their living conditions and upbringing. The ombudsman should further ensure that the implementation of children’s rights was done according to law, and comment on and suggest measures for strengthening the legal protection of children.

In 1981 “Lov om barn og foreldre” – “The Child and Parents’ Act” was passed. The act regulates the legal relationship between children and parents. The act gives the child an independent right to self-determination in certain circumstances. The act also emphasizes the responsibility of parents to fulfil their child’s needs.

Another important document for Norwegian children was the “UN Convention on the Rights of the Child” (CRC) issued in 1989. It was ratified by Norway in 1991, and is to day Norwe-

gian law as the convention was incorporated in “Lov om menneskerettigheter” – “The Human Rights Act” in 2003. A central perspective in the convention is that the child should be understood as a subject who has independent rights as a human being, not because he or she is a child and therefore in need of protection. Verhellen (1994) states that the Convention makes a shift from children being given rights to children having rights.

In 1992 a new child protection act was passed which replaced the act of 1953; “Lov om barneverntjenester”. Regulations in this act reflect the Convention and emphasize participation rights and the principle “in the best interest of the child”. In the twentieth century many new regulations and white papers were issued to safeguard children’s rights and strengthen living conditions for children living at home and for children in care.

It is now more than one hundred years since the first “child welfare act” was adopted in Norway. Since that time there has been a slow improvement in living conditions for Norwegian families and children during the first half of the 20th century. After that many positive changes have occurred. As of today; Norwegian children benefit from living in a society which should recognize them as human beings, and at the same time safeguard their interests, monitor their situation and control that their rights to protection, provision and participation are fulfilled.

Benefits for families

Of 4.8 million Norwegians, 25 % are children under 20 years of age. The birth rate is 1,96 %, which is among the highest in Europe. The Norwegian government employs a range of policies designed to help couples have more children. The main reason for this is not that mothers shall produce more children, but it is according to the value of equality aimed at helping people balance their work and family life. Norwegian parents have the rights to maternity leave if they have been employed at least six of the ten last months before the child is born. Mothers have 46 weeks with full salary (or 56 weeks with 80 % salary). 10 weeks are reserved for the father. Unemployed parents receive a one-time benefit of about NOK 35.000 (about \$ 6.400).

Every child in Norway is entitled to be in kindergarten from the age of one year. The government and local communities have prioritized securing enough places for children, and the coverage was 87,2 % in 2008. Sometimes a mother or father wants to be at home with their small child. Families with children between one and three years of age who do not use public

day care institutions, can receive full cash benefit for up to 23 months. The cash benefit amounts to NOK 3303 per child a month which equals about \$ 600.

All Norwegian families receive child benefits until the child is 18 years old. The benefit is not dependent upon the income of the family. The benefit is relatively small, and is more a symbol of the equality guaranteed by the welfare state. The amount was in 2009 about NOK 11.500 a year, which equals about \$ 2100.

Children start in school the year they are six. The transition between kindergarten and school is planned in advance, and the aim is to make it as smooth as possible for the child. School is compulsory for ten years, and after that, the young person has the right to attend school (high school) for an additional three years. The high school system has been reorganized in recent years to make it more adapted to children and young people with learning difficulties. It is a political aim that as many as possible of young Norwegians shall complete high school. The reason for this is two-fold; to keep young people in school as long as possible, and to strengthen the competence so that the young person can manage as adult and achieve full citizenship. But, despite good intentions, many young people drop out of school before they have finished high school. This is particularly a problem for children in child protection. Education is free in Norway at all levels including university studies.

Children with help from child protection

In spite of the favourable living conditions for Norwegian children, many of them and their families need help from the government; three percent of children and young people under the age of 18, received help from child protection in 2008. The number reached 43 000 children and youth including 18 to 23 years old youngsters with follow-up help from child protection. Most of the children (80 %) received preventive services at home. About 6000 were in out of home placements such as foster homes and residential care. There were 25 000 new investigations in 2008 following reports to the local authorities about children living under inadequate home conditions (55 %), abuse and neglect (23 %) and behavioural problems (17 %).

The overall strategy in child protection in Norway is to give help early on a preventive basis in the family or the immediate environment; out of home placement should be avoided if possible (NOU 2000:12). But if it is necessary to remove the child from the family, foster homes

are preferred over residential care, and particularly kinship foster homes. The “biological principle” is emphasized; that means it is best for the child to be in its biological family. As stated earlier in this chapter, the principle of “in the best interest of the child” is an important concept in child protection. Sometimes the two principles might conflict.

Preventive services at home aim mostly at how to increase parents’ competence in taking care of their children. A lot of programs with such aims are adopted and implemented in child protection. Examples are Multi Systemic Therapy, Parent Management Training, and Webster-Stratton Treatment. There are also programs aimed at strengthening the upbringing skills of all Norwegian parents. Other services/strategies aimed at families needing help are more traditional such as giving advice and financial aid, week-end homes, “big brother” etc.

There are different forms of out-of home placements used in Norwegian child protection. The most common are foster homes and residential care. Foster homes can be either basic or professionals. Children can be placed on a voluntary basis in residential care or by constraint in residential care or foster home, after a legal decision. There is a lack of foster homes in Norway, particularly for young people, and they are especially difficult to find if the youth has behaviour problems. Therefore, many young people with problems end up in institutional care. Several white papers aimed at ensuring the quality of institutions have been issued, and there have been many improvements, but despite these efforts there are still problems with institutions. Among these are the inability to give young people sufficient help and treatment for different problems, and that some residents are exposed to violence and abuse.

Criticism from the UN Committee on the Rights of the Child and Norwegian advocacy groups

Norway’s rating on the HDI, and the country’s favourable social and economic position, might give us the impression that there are no problems concerning families and children. This is not a completely accurate picture, however, as reports from the UN Committee on the Rights of the Child (UNCRC) and from various Norwegian advocacy groups have indicated. These critics argue that Norway is not always fulfilling its responsibilities toward children as required by the CRC.

Norway has issued four reports to the UNCRC between 1993 and 2008 which describe the country's progress in implementing the UN convention. The most recent of these will be considered by the Committee later this year (2010) (Norwegian Ministry of Children and Equality, Ministry of Foreign Affairs 1993, 1998, 2003, 2008). Concluding observations from the Committee on the first three reports have been issued which contain various criticisms of Norway's implementation of the CRC with recommendations for improvement. The most recent observations from 2005 include recommendations in the following areas: non-discrimination, civil rights and freedoms, family environment and alternative care, basic health and welfare, education, leisure and cultural activities, and special protection measures for vulnerable children including refugees. Among the specific recommendations are measures to strengthen the natural family and to reduce the need for placement of children in foster care and institutions, better supervision for children who are placed in foster care and institutions, better assistance to children who are exposed to violence within the family, better and more timely mental health services for children and young people, and efforts to ensure that no group of children lives in poverty. The Committee noted with concern a high proportion of immigrant children living in households with low income. Other recommendations include better protection of asylum-seeking and refugee children, better programs to combat drug abuse, including increased focus on prevention, and measures to identify and combat sexual abuse of children (UN Committee on the Rights of the Child, 2005).

A number of Norwegian organizations have issued supplementary reports to Norway's 2008 report to the UNCRC, including the Ombudsman for Children, the Norwegian Centre for Human Rights, and the Forum for Barnekonvensjonen in cooperation with Save the Children, Norway. These supplementary reports raise a number of critical issues regarding Norway's implementation of the CRC which they ask the UNCRC to examine more closely (Norwegian Ombudsman for Children, Norwegian Centre for Human Rights, Forum for Barnekonvensjonen, 2009). The Ombudsman's report stresses the need for better implementation of children's rights in practice, pointing out a gap between formal rules and the reality which many children live under. Despite having a relatively good welfare system, there are large deficiencies in Norwegian society's ability to take care of children at risk, including children exposed to violence, neglect and abuse, and for children with mental health problems and various other disabilities. The Ombudsman's report points to the need for earlier intervention, and better cooperation between different helping agencies. Research confirms that this is particularly relevant for child protection and child psychiatry (Lurie and Tjelflaat 2009). The

report also stresses the need for a strengthening of child welfare services with more resources, increased staffing and better services for all children at risk, particularly for children with ethnic minority background

Future challenges

There are many challenges when it comes to ensuring the future welfare of Norwegian children. These may be summed up briefly:

- ☐ Giving adequate, timely and quality help and treatment to children with multiple and complex problems related to behaviour, mental health and substance abuse, and to children exposed to violence, neglect and abuse
- ☐ Preventing violence and substance abuse among children in residential care.
- ☐ Finding quality foster homes, especially for older children.
- ☐ Improving coordination of services, especially between child protection and child psychiatry
- ☐ Improving education for child welfare clients, reducing dropout
- ☐ Taking better care of the needs of immigrant children and their families
- ☐ Improving implementation and safeguarding children's rights in practice
- ☐ Ensuring adequate financial resources and staffing levels for child protection and other related services
- ☐ Improving home-based preventive services for families of children at risk and reducing unnecessary out-of-home placements

Literature

Barneombudet 2009. Supplerende rapport til FNs komité for barns rettigheter.

Forum for barnekonvensjonen 2009. Supplerende rapport 2009 - til Norges fjerde rapport til FNs komité for barns rettigheter

Hagen, G. 2001. *Barnevernets historie – om makt og avmakt i det 20. århundre*. Skien: Akribe.

Human Development Report 2009: Summary: Overcoming barriers: Human mobility and development, UNDP.

Lindboe, K. 2006. *Barnevernets rettshistorie i Norge*. BV praxis nr. 3: 15-17.

Lurie, J., Tjelflaat, T. 2009. *Samarbeid og samordning mellom barnevern og barne- og ungdomspsykiatri i Norge*. Rapport nr. 14/2009 fra Barnevernets utviklingssenter i Midt-Norge, NTNU Samfunnsforskning AS

Norwegian Centre for Human Rights 2009. Supplementary report to Norway's fourth report to the Committee on the Rights of the Child.

Norwegian Ministry of Children and Family Affairs, Ministry of Foreign Affairs. 1993. The Rights of the Child. Norway's initial report to the UN Committee on the Rights of the Child. Q-0827 E.

Norwegian Ministry of Children and Family Affairs, Ministry of Foreign Affairs. 1998. The Rights of the Child. Norway's second report to the UN Committee on the Rights of the Child. Q-0983 E.

Norwegian Ministry of Children and Family Affairs, Ministry of Foreign Affairs. 2003. The Rights of the Child. Norway's third report to the UN Committee on the Rights of the Child. Q-0983 E.

Norwegian Ministry of Children and Family Affairs, Ministry of Foreign Affairs. 2003. The Rights of the Child. Norway's third report to the UN Committee on the Rights of the Child. Q-1054 E.

Norwegian Ministry of Children and Equality, Ministry of Foreign Affairs. 2008. The Rights of the Child. Norway's fourth periodic report to the UN Committee on the Rights of the Child. Q-1141 E.

NOU 2000:12. Barnevernet i Norge. Tilstandsvurderinger, nye perspektiver og forslag til reformer.

Omsorg og overgrep. Gransking av barnehjem, skolehjem og fosterhjem benyttet av Trondheim kommune fra 1930-årene til 1980 årene. Rapport fra granskingsutvalg oppnevnt av Fylkesmannen i Sør-Trøndelag avgitt 8. mai 2007.

United Nations Committee on the Rights of the Child 2005. Consideration of reports submitted by states parties under article 44 of the convention – Concluding observations: Norway.

United Nations Convention on the Rights of the Child 1989.

Verhellen, E. 1994. *Convention on the rights of the child. Background, motivation, strategies, main themes*. Leuven, Apeldoorn: Garant.

Lov om behandling av forsømte barn av 1896.

Lov om barnevern av 1953.

Lov om barneombud av 1981.

Lov om barn og foreldre av 1981.

Lov om barneverntjenester av 1992.