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## In-home Services: A Rights-Based Professional Practice Meets Children's and Families' Needs

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### 1 Introduction

The Convention on the Rights of the Child (CRC) states that children are individual rights holders. Simultaneously, the Convention underlines that the family has the primary rights and duties to care for children and secure their well-being and positive development. According to the Convention, the role of state authorities is to protect children against maltreatment. Furthermore, state authorities have a preventive and supportive role, which is relevant at an early stage, before children experience maltreatment and severe risk within the confines of the family. When and under what kind of circumstances this supportive responsibility

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materializes varies between nation states. Variations also exist concerning the mandate and role assigned to child welfare services (CWS) in this regard.

The overarching aim of this chapter is to discuss how relevant principles of the CRC inform and challenge the practice of professionals engaged in CWS preventive in-home measures. We explore the implications of several rights included in the CRC for child welfare professionals' work with children's needs within the family context. Further, we identify and discuss characteristics of current practice in relation to the CRC. The discussion centres on the threefold relationship between the child, the parents and the state and includes the following questions: Where to draw the line or place the threshold for public intervention in family life? How to realize children's rights to services when their parents do not give consent? What can explain and what are the consequences when support to children is primarily achieved through targeting parents?

In the CWS context, these questions concern the praxis with in-home measures aiming to provide necessary support for vulnerable children, prevent escalating problems in the family, and thereby prevent out-of-home placements. In-home services may entail a variety of measures, such as parent counselling, contact families and support persons for children, respite care, economical and practical support and leisure activities (Pösö et al. 2014; Christiansen et al. 2015). Norwegian policy and practice serve as examples to illuminate issues that are relevant in most jurisdictions.

## 1.1 The Relevance of the CRC to Professional Practice with In-home Services

The CRC clearly states the importance of (a) the family in children's lives and (b) the state's obligation to first and foremost provide support and assistance in the family context (e.g., Art. 18). According to Article 19, state parties shall take all appropriate actions to ensure that children receive necessary protection from abuse and neglect while in the care of parents/legal guardians. Only when children, in their best interests, cannot remain in their family environment shall out-of-home care be

considered (CRC Art. 20). Article 3, where a superior value of the best interest of the child is incorporated, also underlines a need to take into account and respect parents' rights and duties when appropriate legislative and administrative measures are to be taken. Finally, CRC Article 16 ensures children's own right to protection from 'arbitrary or unlawful interference with his or her privacy'. This is a partner paragraph to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) Article 8, which also underlines a superior value of respect for privacy and family life. Consequently, an overarching point of departure for rights-based professional work with children and families is assisting children and families. The importance of the family and biological bonds, a principle of legality and the least intrusive measure, as well as the value of voluntariness and participation, all underpin the predominant value of in-home measures or help within the family context.

Domestic law will in more detail guide how relevant rights for children can be implemented in professional social work with children and parents. Important services for children and families can be organized in different ways and by different institutions across countries. In Norway, in-home welfare and protective services for children are mainly regulated through the Child Welfare Act (CWA) § 4-4 'Assistance for children and families with children'. There has been an adjustment of various provisions in this law to coordinate it with main principles within the CRC. In-home measures shall be guided by the best interests of the child; services shall be provided in cooperation with the child's parents; children themselves shall be heard; and all services and interventions shall follow the principle of 'the least intrusive measure' (CWA §§ 4-1, 3-2, 4-3). Assistance and interventions offered shall be adjusted to individual needs and be adequate and of good quality.

Main challenges for professional rights-based in-home work concern how to, in context, navigate and negotiate sometimes disparate yet equally valued principles in the CRC. These same principles and built-in tensions are typically also part of domestic law. For example, while in-home measures are always to be guided by respect for the individual child's own rights and interests, measures shall at the same time help children in ways that also strengthen parents' rights, responsibilities and

abilities to care for their children. The challenges for professionals are particularly related to situations where there is a conflict of interests or disagreement between service providers and parents concerning the best interests of the child.

## 2 When Does the State's Responsibility for Providing Services Occur?

Discussions of CWS in society—their role, mandate and areas of responsibility—concern how the relationship between the child, the family and the state is weighed and balanced. Numerous researchers have described different ways these relations have changed over time and differ between national and cultural contexts (e.g., Ericsson 1996; Falch-Eriksen 2012; Fernandez 2014; Parton and Reid 2017). As a starting point to explore the implications of the CRC for the intervention level and scope of child welfare engagement in children's and families' lives, we turn to Fox Harding (1997), who is often referred to in this respect. From a British context, she has outlined four perspectives that historically and in different ways have influenced child welfare policy and practice. The perspectives are, however, not only interesting as part of 'story telling'. They can even today be spotted as parallel undertones when CWS's decisions and professional practices are debated:

- *laissez-faire* and patriarchy;
- state paternalism and child protection;
- the modern defence of the birth family and parent's rights;
- children's rights and child liberation.

The four perspectives have in some respects emerged as reactions to one another. In this 'pattern of reactions', one can observe a pendulum, alternating between emphasizing the importance of a parent's perspective and a child's perspective in child welfare and protection work. *The laissez-faire and patriarchy* perspective implies that interventions in the family's private sphere from the side of public authorities should be limited to a minimum. This is the best way to show respect for parents' own particular

responsibility, further underlining a notion that biological parents' care is superior for children. Only in extraordinarily serious cases shall child welfare authorities intervene.

*State paternalism and child protection* can be seen as the political and professional response to the (re)discovery of child abuse. Confidence in parents' ability to care well for their children has been replaced by 'a readiness to act', following notions that children are very much 'at risk' in the family sphere. For this reason, children need the vigilance and protection of relevant state authorities.

Fox Harding (1997) calls attention to the fact that this perspective may overlook the social situation such families often live in and the fact that child abuse and neglect must be understood as a consequence of various structural burdens and inequalities such as poverty and marginalization. This comprehension is therefore the point of departure for the third perspective listed here: *The modern defence of the birth family and parent's rights* (Lonne et al. 2016). Here, the value of relational ties between children and parents is underlined. Relevant state authorities shall neither choose a laissez-faire nor a paternalistic stand towards the family. However, they are expected to use an actively supporting manner in ways that increase the prospects of keeping the family intact in spite of various burdens. Families can be reunified even if at one point a temporary break-up was inevitable. In other words, there is a strong incentive in this perspective to establish large-scale in-home measures and services for vulnerable families.

As already suggested, the two perspectives that *state paternalism and child protection* and *children's rights and child liberation* have in common are that they both challenge a notion that children and parents always share common interests. However, there are clear divergences between the perspectives. State paternalism and child protection express a paternalistic view, emphasizing the child's need for protection. Children are perceived as objects and as victims of parental maltreatment. Children's rights and child liberation, on the other hand, highlight the value of children's dignity and children's position as individual subjects of rights. Further, in this perspective, protecting children's safety and development can only be realized when children are given a voice and an opportunity to express their own framing of their particular situations and needs.

## 2.1 The Threshold for CWS Involvement

The immediate assumption is that the children's rights and child liberation perspectives resonate with the United Nations CRC. However, how unambiguous is this parallel? Furthermore, does the CRC give any guidance for our considerations about when the responsibility of state authorities occurs with regard to securing children's well-being and engaging in the way parents care for their children?

When we address the specific role of child welfare authorities, our attention is directed to the CRC's declarations about the children's right to protection and especially how this is expressed in Article 19. The wording in Article 19 indicates that children's right to protection is at stake when their safety, well-being and development are seriously threatened due to violence or neglect. Article 19 para. 1 lists several forms of violence, both physical and mental, using concepts such as abuse, neglect and maltreatment. In their General Comment (GC) no. 13 from 2011, the Committee on the Rights of the Child has outlined a guide to all state parties on how to understand their obligations according to Article 19. The title is 'The right of the child to freedom from all forms of violence.' However, this text provides a broader and more comprehensive understanding of the concept 'violence'. This is especially the fact with regard to psychological and emotional neglect, which includes 'lack of any emotional support and love, chronic inattention to the child, caregivers being "psychologically unavailable" by overlooking young children's cues and signals, and exposure to intimate partner violence, drug or alcohol abuse' (GC no. 13, p. 9).

CRC promotes a holistic approach concerning state parties' responsibility for children (GC no. 13, p. 24). Further, it suggests that children's well-being is threatened not only by obvious and dramatic incidents of violence, abuse and maltreatment (children at risk) but also by deficiencies in the ongoing day-to-day interaction between the child and his or her carers, as well as between children's and parents' relationship to the wider society (children in need). This understanding represents an incentive to all public authorities to offer early help and a rather low threshold for supportive services and measures (see Chap. 9 for discussions on marginalization).

Norway may serve as an example of how the Nordic and other European welfare states have attempted to realize an early intervention and low threshold approach (Pösö et al. 2014). This concerns general services to all children and their families as well as the way CWS are designed and organized. Over the last decades, the number of children aged 0–17 receiving any kind of measures from CWS in Norway has increased gradually, from 20 per 1000 in 1996 to 30 per 1000 in 2016. According to national statistics, approximately one in ten children will receive at least one intervention from the CWS before they reach the age of 18, primarily in-home measures. This trend is definitely a result of political priorities 25 years ago, at the time when the current Child Welfare Act was implemented. Compared to the former act from the 1950s, the 1992 Act changed the concepts from Child Protection to Child Welfare Services, and lowered the eligibility threshold for assistance, all with the intention of strengthening the early intervention approach.

This policy and practice are recognized in a study where CWS workers reported the reasons why they provided in-home services to 245 children and their families (Christiansen et al. 2015). The findings demonstrated a large variety of problematic factors, and the majority of the children experienced a mix of such situations, as Table 10.1 illustrates.

**Table 10.1** Reasons for providing in-home measures

<b>Reasons related to parental care</b>	<b>%</b>
Physical abuse	6
Sexual abuse	1
Psychological or emotional maltreatment	11
Neglect	8
Disciplinary problems	53
Mental health problems/substance abuse	43
Domestic conflicts/violence	38
Parent stress, exhausted, economic problems, lack of supporting network	53
<b>Factors related to the child</b>	<b>%</b>
Behavioural problems	21
Emotional problems	34
School-related problems: academic or social	32

*N* = 245

Supplemented with data on socio-demographic conditions, the reasons for offering services indicate that the recipients of in-home services are a heterogeneous but vulnerable group. Child neglect and abuse are recognized but constitute a minority of the causes for interventions. Instead, various combinations of parenting problems, mental health problems among parents and/or children, parental conflicts, challenges in school, a lack of supportive networks and financial difficulties, all trigger an intervention. These factors affect the children's daily care, well-being and development. Further, they entail deficient conditions and limited participative and coping possibilities for the children and may consequently lead to marginalization (Pelton 2015).

As indicated above, such a variety of factors may justify protection and support and resonate with the CRC. However, related to Fox Harding's perspectives, this (low threshold) approach corresponds as much to the modern defence of family perspective as to the children's rights perspective. Gilbert (1997) made comparative assessments of different national child protection systems and found that Norway and other Nordic countries operated according to a family service orientation. This description was applied in contrast to a child protection orientation represented by Anglo-American countries with parallels to Fox Harding's state paternalism perspective.

However, in their updated book, Gilbert et al. (2011) indicate that a much more complex landscape of perspectives has emerged recently both within and between different nations. This includes the addition of a 'child focused orientation' to the child protection and the family service perspectives (p. 252).

In Norway, we recognize a tendency towards greater complexity, as well. Several professionals, researchers and politicians have raised the question of whether the continually expanding family service approach has come at the expense of attention to and good quality follow-up of the most vulnerable children, especially children and young persons in public care (NOU 2016:16). Consequently, suggestions about the possibility of limiting the scope for CWS engagement has been raised.

In child protection-oriented countries, one can observe an opposite trend. There is a movement motivated from an increased acknowledgement of the fact that referrals to CWS concern children who more often



suffer from diverse consequences of their families' living conditions than from incidents of actual abuse or maltreatment (Featherstone et al. 2016; Trocmé et al. 2014). The result is several initiatives to develop 'differential responses' in CWS making them capable to respond more adequately to the different kinds of problems, risks and needs children live with (Hughes et al. 2013). However, Featherstone and colleagues (2015) claim that the overriding ideology and practice still conform to risk investigation through 'child abuse lines'.

In a comparative study of child protection policy in five European countries, Spratt et al. (2015) found that despite differences in how the relationship between the state and the family is balanced, the countries shared a common ground of understanding concerning factors and conditions that are respectively harmful or supportive to children. Further, they shared a double mandate for the child protection system, including both support to families and intervention to protect children at risk. According to Spratt et al. (2015), this approach reflects values and rights enriched within the CRC (p. 1509).

### 3 Realizing Children's Rights to Services

For some decades, two distinct and parallel development trends have been present in the child welfare field. Both trends are of importance for realizing children's rights to adapted services. First, it has been continuously questioned whether children, in reality, do fully benefit from their status as individual subjects of rights. In a Norwegian context, this question has particularly been raised in relation to children's individual rights to services in the family context. Second, there has been a general development where child welfare in-home measures have become 'equal' to measures involving guiding and advising parents. In this chapter, we will discuss in more detail (a) children's individual right to services when parents do not give their consent and (b) targeting parents to secure children's individual right to adapted help and development. Illustrative examples of these development trends are derived from a Norwegian context.

### 3.1 Individual Rights to Services When Parents Do Not Give Their Consent

According to the current Norwegian CWA, while §4-4 in many ways satisfies demands put on a 'rights provision', one cannot speak of an unconditional right for children to in-home measures (Høstmølingen et al. 2016). At present, the state's duty to provide in-home measures (with a few exceptions rarely practised) is restricted by a need for consent from the parents, as well as from the children themselves if they have turned 15 years of age. This has led to at least three particular concerns of relevance for rights-based services for children. First, there is a concern that some children may not receive the help they need when they need it and that some groups of children do not enjoy the necessary help and protection (cf. CRC §§ 3 and 19). Second, lack of early and adapted intervention may ultimately result in more intrusive and radical measures, a consequence that conflicts with key guiding principles in the CRC. For instance, the Committee on the Rights of the Child has repeatedly commented on extensive use of out-of-home placements in their reports to Norway, urging more focus on children's rights to early help and intervention and efforts targeting children's needs within the family context. Third, there has been a concern that the voluntary aspect of in-home measures is being challenged or is in practice set aside. Parents may in some cases experience the use of 'concealed force', in the sense that they feel pressured to accept various in-home measures to avoid a situation where the child may otherwise be taken into care.

To address these concerns, we have in Norway seen a step-by-step move towards further acknowledgement of children as individual rights holders. In April 2016, new regulations were adopted that broaden the possibility to impose in-home measures against the will of the parents (BLD 2015). This regulation of the law strengthens children's individual right to services in the family context. It aims to secure early and adapted help and thereby also avoid more radical measures at a later stage. In March 2018 the National Parliament unanimously passed a bill declaring that children are granted 'legal claim' to necessary services. An important argument was that 'legal claim' on the part of the child means a harmonization with welfare rights in general. Welfare services have increasingly

become rights-based and provided for by law. However, children have in general been left with a weaker position compared to adults. Subsequently, an Official Norwegian Report (NOU 2016, p. 16) proposed to strengthen children's participation rights by giving them the rights of a party to a case at the age of 12, as opposed to the age of 15 according to current law.

Granting children their own legal claims to necessary services may strengthen the contract between the state and the individual child. It increases the state's responsibility to secure that (a) children's rights are realized and (b) important rights are not challenged and breached, and consequently, it leads to a more active and engaged state in family matters. A legal claim to services has consequences for professional social work with vulnerable children and their families as well. First, legal claims on the part of the child make the image of an independent and participating child both more visible and more prominent (Hollekim et al. 2016, pp. 58, 59). This will further embrace an increased ability to pursue one's interests (Archard 2004). In many cases, legal claims for children will serve as a premise to secure important needs and interests in a more adapted and sustainable manner, as well as at an earlier stage. However, a development where individual rights for children too strictly guide services may also involve challenges for professional practice. In the worst case, interventions targeting the individual child against the parents' wishes may undermine the foundation of and context in which the child needs to develop well. As a narrowly guiding perspective, children may appear as 'an island in the family'. Professionals may more easily overlook 'the dependent, social and inter-acting child, who creates meaning and competence in context and in relation to close others' (Ulvik 2009, p. 1150).

Likewise, more rights on the part of the individual child will potentially imply a possibility for more conflict of interest across the three involved parties (the state, the parents and the child)—or even between siblings in a family who may have conflicting interests. Examples are situations where there is a disagreement between involved parties concerning how the problems are understood and whether or not there is a problem, when help and intervention are necessary, which measures need to be implemented, and how far-reaching they need to be. A development where various in-home services for children become more

clearly rights-based will therefore inevitably mean increased demands for competence, professionalism and high ethical awareness on the part of the service providers. In-home measures when there is a conflict of interests will also increase demands for the quality of measures and good documentation that such measures are indeed in the best interest of the child. Compulsory in-home services make particularly current the need for a successful manoeuvre between securing individual children's needs and interest in a landscape that touches on ECHR § 8 and CRC § 16. These provisions aim to secure that measures are necessary and lawful and protect the child and the family from arbitrary or unwarranted intervention.

#### 4 Targeting Parents to Secure Children's Right to Timely and Adapted Help

According to CRC Article 19, state parties shall provide *all the necessary support* to children and their caretakers (a) to protect children from all forms of maltreatment and (b) to secure children's health and development. Traditionally, child welfare preventive measures have had a clearly supportive character. In a Norwegian context, typical aims have been to secure for children contact with and developmental support from several adults and to facilitate children's taking part in positive leisure activities, thereby also building relationships with peers. Concerning the parents, measures have typically been various kinds of relief care and economic support. However, preventive in-home measures have also implied advice and guidance, as well as implicit and implicit measures of a more controlling character.

Following this situation, several related debates were raised. First, while preventive and supportive measures have been widely used and grown quickly in number, very limited research exists about the effect of such measures (NOU 2012, p. 5). Second, the measures chosen have typically had a *compensating* approach, without actually *improving* (in a sustainable manner) the situation for the child (BLD 2013). It has been questioned whether the most frequently used measures actually targeted a core problem, namely, parents' lack of proper (or at times even harmful) parenting

skills. An understanding evolved that more systematic follow-up of parents through supervision and guidance would secure a better potential for positive change.

Raising these questions has led to a distinct shift in the kind of measures CWS offer to children and their families. Different kinds of parent education, training and guidance have become the main in-home measure, according to national statistics. In the study previously referred to, the reasons for in-home measures varied broadly. Nevertheless, the selected measures were rather uniform. For more than 80 per cent of the 245 children, parent counselling was the chosen measure (Christiansen et al. 2015). Parent counselling was the most frequently used intervention independently of the reasons that triggered CWS engagement with the family. The main focus in this work was on the parent–child dyad and parent–child interaction.

## 4.1 Parents in Society

Assisting and supporting parents is a core value in the CRC. However, in a wider societal context, a situation where in-home measures in CWS have come to equal targeting the parents and the parent–child relationship must also be understood in relation to other interrelated societal development trends.

Parenting has during the last few decades acquired a certain connotation that has changed both the meaning and making of the concept. An understanding of parenting as a technical matter has developed, and related to this, parenting has become understood as something that can be generalized about. Parenting now implies a particular focus on how parents behave and perform (Furedi 2002). Implicit is also a view that the child–parent relationship in its nature is a problematic thing. Further, to parent is something that cannot be performed intuitively or naturally. Good parenting has become a form of learned interaction that requires particular knowledge and practice (Lee 2014).

Intertwined with this trend is a notion that children are more at risk than ever (e.g., James and James 2008; Featherstone et al. 2016). Faircloth (2014) claims that the status attachment theory has attained within

developmental psychology and professional social work with children and families has driven such understandings. For example, there is the apprehension that much can go wrong, and that if it does, it is very hard to make it right. According to Gillies (2011), we also see a development where society continuously assigns more social responsibility to parents and a notion that parents are ‘wholly deterministic in an individual child’s development and future’ (Faircloth 2014, p. 26).

More generally, these developmental trends have underlined a risk and deviation focus that increasingly makes parents and parenting a target for state interest, supervision and intervention (Gillies 2011). It has further paved the way for controlling and disciplining groups of parents through, for example, social work intervention in families (Hennum 2015; Ericsson 2000). Picot (2014) found a change from explicit state control of families to the presence of much more implicit and hidden control strategies embedded in state measures and interventions in vulnerable families, as present today. There are claims that the main aim for intervention is to normalize parenting and parenting practices and ‘to confirm and reinforce existing social order’ (Hennum 2011, p. 344). This makes measures and interventions particularly relevant for families that in some way diverge from the norm or are disadvantaged or marginalized (Gillies 2008; Hennem 2011; Juul 2011). Consequently, child welfare measures and interventions can be understood as tools, which are used by the authorities to ensure that families live up to contextually valid norms. ‘The controlling power of child welfare is both exercised through interventions in families that are considered deviant, and through creating images of good and bad families’ (Ericsson 2000, p. 17).

## 4.2 In-home Services and the Case of Immigrant Families

The question of homogenization and disciplining of parents in CWS has long been a discussion in relation to class (Vagli 2009; Egelund 2003; Kojan 2011; Gillies 2005). It has more recently also been made

particularly current in relation to culture. The meeting between immigrant families and CWS in various countries is at present often problematized (Chand 2008; Johansson 2010; Kriz and Skivenes 2010). In an increasingly diverse and multicultural society, we see a situation in Norway where (a) children with an immigrant background are highly over-represented in child welfare in-home services and (b) there is a predomination of measures that target parenting practices and parent-child relations. This particular situation has brought to the public agenda heated discussions related to the concept of culture in child welfare work, what cultural rights mean for children in this area, and finally, consequences for professional approaches (Fylkesnes et al. 2017; cf. CRC Art. 30).

It is fair to say that in a historically equal society such as Norway, culture and cultural rights have not been a prominent focus within CWS, which is also reflected in the current CWA. References to children's rights concerning ethnicity, religion, culture and language are made once only and then related to the choice of placements when out-of-home care is decided (CWA § 4-15). However, during the last decade or two, a focus on culture has become increasingly prominent when understanding and assessing needs in immigrant families with children (Chand 2008; Johansson 2010; Kriz and Skivenes 2010; Rugkåsa et al. 2017). There has been an inflation in the use of concepts such as 'culture sensitivity' and 'culturally sensitive approaches' in child welfare and protective work. Rugkåsa et al. (2017), for example, claim that cultural explanations for immigrant families' challenges hold the field in Norwegian child welfare services. Typically, while what this comprehension means and implies has been unclear as well as contested, it has affected professional social work with immigrant families in important ways. According to Bredal (2009), on one hand, it has led to a certain constraint or aloofness on the side of professional workers and consequently a lack of timely and necessary measures and interventions. On the other hand, it has at times led to too intrusive and consequently less helpful and sustainable measures. Importantly, Rugkåsa et al. (2017) claims that it has narrowed an understanding of complexity when assessing immigrant families' challenges and needs.

## 5 Challenges to Rights-Based Practice

The case of immigrant families meeting CWS illustrates three important challenges for professional rights-based preventive services. These are, first, homogenization of parenthood; second, a reduction of complexity and a narrowing of understanding of CWS users' challenges and needs; and third, marginalization of children themselves. The challenges are relevant for CWS users in general. They also illustrate the relevance of Fox Harding's perspectives when trying to understand the way professional in-home services appear. In particular, *state paternalism and child protection, the modern defence of the birth family and parents' rights and children's rights and child liberation* are made current in the discussion below.

### 5.1 Homogenization of Parenthood

There is a frequently argued and seemingly generally adopted notion in Norway that immigrant parents need to be educated and trained to become proper parents. Further, good parenting in Norway is child-focused and circles around parent-child interaction and dialogue (Hollekim et al. 2016). Homogenization processes concerning acceptable parenting may mean less respect for parents' rights and responsibilities when bringing up children and a more general devaluation of diversity. For example, CRC Article 5 takes context into consideration when referring to the need to respect parents' own rights and responsibilities when bringing up children. It is, in the context of professional in-home services, important to reduce processes that may make parents feel disempowered, devalued and perhaps deficient (Hollekim et al. 2016). Such processes are counterproductive, as they will invariably trigger counter-reactions, such as withdrawal or open protest. This will further fuel marginalization processes for particular groups of children and parents.

### 5.2 Reduction of Complex Needs

In-home measures continue to target parenting practices (Christiansen et al. 2015). However, an increasing amount of research confirms that



living conditions greatly affect children and families' well-being and possibilities. According to Staer and Bjørknes (2015), socio-economic factors more than cultural factors explain the challenges immigrant families face as they settle in a new country. Importantly, cultural explanations may remove the gaze from a variety of other societal injustices affecting many families, for example, low income, poor housing, inequality and discrimination. There is a need for a broader and more contextualized understanding of CWS users' needs to establish and offer more adapted and sustainable help (Andenæs 2004). If this understanding is absent, in-home measures and intervention offered may not be what the children and families need or ask for to better their life conditions (Rugkåsa et al. 2017; Fylkesnes et al. 2017).

### 5.3 Marginalization of the Child

In a situation where in-home measures are primarily focused on educating and guiding parents, there is a need to problematize how this may affect the position of the child and child participation, main concerns of the CRC. In spite of efforts securing children's voices in law and increased knowledge concerning the value of involving children in accordance with their age and maturity, children are not much involved and are even marginalized in situations of relevance to them. For example, in many structured and manualized programs such as Marte Meo, Circle of Security (COS) and Parent Management Training Oregon (PMTO), children are not even meant to be involved. It is only the adults' descriptions and understandings of problems and challenges in the parent-child dyad that define the needs for help and intervention. This is also most often the case when parent support and guidance do not follow structured programs (for example, are less specific in content, form, intensity and duration), as demonstrated in Norwegian research (Christiansen and Moldestad 2008; Christiansen et al. 2015).

To what extent children are involved in cases of relevance to them affects the way problems are described and explained as well as what kind of help CWS offer families. Heimer et al. (2017) found when interviewing family workers that without exception they based their

work on the parents' way of describing the problems. Further, they found that a variety of problems and concerns were 'reframed' into problems with structure, routines and border setting, making them fit for parent counselling within a family treatment frame (Heimer et al. 2017). Likewise, Bakketeig (2015) found that while children were often heard at a very early stage, information sought was more about how they were doing in general and less about what kind of help they wanted. Follow-up talks with children concerning their experiences and wishes regarding in-home measures were exceptions. The value of guiding and educating parents is firmly embodied in the CRC. However, when deficient parenting is apprehended as the only 'answer' to perhaps very diverse family challenges, it will guide the kind of services offered, as well as who needs to be included in this work. Consequently, children's own views become less important, and children's own interests may remain under the radar, in glaring contrast to conditions in CRC Article 12, for example.

## 6 Conclusion

Working as a professional with preventive CWS in-home measures implies addressing challenges concerning the threefold relationship between the child, the parents and the state. Realizing a rights-based practice in this field is not a clear-cut path towards an unambiguous aim. Instead, it comprises a wide range of questions and implies balancing different interests and relating to several perspectives informing this threefold relationship. In fact, we can recognize input from all of the four perspectives introduced by Fox Harding (1997) when we look for implications of the CRC for CWS in-home measures. We may consider a proactive state performing early intervention to protect children versus a state taking a more withdrawn role in respect of parents' responsibilities, rights and duties to care for their children. In addition, we may consider a state offering support to and surveillance of parents with severe challenges versus a state obligated to give priority to the child's individual rights to protection and developmental support.

Regardless of the blurred character of this field, we will suggest some guiding principles for a rights-based professional practice with CWS preventive measures.

*Primarily, there is a need for vigilance concerning children's position as subjects of their own individual rights* through the entire process concerning in-home measures. To realize children's rights and for children to be able to pursue their own interests in a family context presupposes an active and responsible state, with institutions such as CWS that carry out this responsibility in a professional and child-focused manner.

Currently, the main approach to in-home services is targeting parents (and other carers) and parenting practices. While there is clear support in the CRC concerning supporting parents who struggle with their upbringing responsibilities, we will, following this particular development, point to three areas that deserve special attention.

First, it is necessary for relevant institutions mandated to help and intervene in a family context to *respect the parents' superior rights to organize family life in the way they see is in the best interests of their children*. In this way homogenization of parenthood, based on narrow contextual norms, can be avoided.

Second, *complying with children's needs for protection and developmental support requires a holistic understanding and service approach*. Even if the quality of the interaction between children and their parents is vital to children, a wider comprehension of the children's as well as the parents' needs is urgent. This includes considering the significance of social inequality and the family's living conditions, which in turn will lead to a broader array of measures than those limited to parent counselling.

Third, *even if the main target for intervention is parents and parenting practices, children should play an active role* in describing current problems and the kind of changes they want, in addition to communicating what they themselves consider helpful. This principle is vital to prevent marginalization of the child in her or his own case.

Finally, the overall challenge to professionals following the CRC is the day-to-day ethical awareness professionals should practice in their interaction with children and parents. High ethical awareness is important in order to acknowledge and address various parties' needs and interests

when vulnerable families meet a responsible state actor. Ethically informed practice is necessary to secure the children's overall developmental needs in a short-term as well as a long-term perspective.

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