

ARE CHILD PROTECTION WORKERS AND JUDGES IN ALIGNMENT WITH CITIZENS WHEN CONSIDERING INTERVENTIONS INTO A FAMILY? A CROSS-COUNTRY STUDY OF FOUR JURISDICTIONS

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Abstract

This paper examines whether and how the views of professional decision makers in public agencies and courts in four child protection jurisdictions align with the views of the public. Democratic states are built on the foundation that state polices are accountable to, and represent, the citizens' will. The extent to which this is the case in child protection is largely unknown. This study draws on survey vignette data collected from three samples (citizens, child protection staff and judiciary decision makers) representing society at large, the child welfare agency, and judicial systems in four jurisdictions - England, Finland, Norway, and the U.S. (California). Findings from this study suggest that there is a high degree of similarity across countries in the public's views about children's need for services, and the poor outcomes that may result absent a service response. Views between child protection professionals and the public diverge the most when considering if the child is suffering from neglect and the use of intrusive state interventions. Child protection staff and judges' perspectives within each country are in general alignment and show the impact of the established systems on considerations. Our results may have implications for the design of social policy in the area of child protection internationally.

Introduction

States have an obligation to protect children from seriously detrimental care, and the principle of the child's best interest is recognized by all states. However, the principle is interpreted and implemented differently within and between welfare states. The threshold where states draw a line to suggest that children may be in need, that their circumstances pose a risk, or that they require protection, are all based on normative standards that are culturally bound and that evolve over time. At the same time that children may need state protection, government should also respect family life and parental liberties to raise their children. Government legislation and policies set the context for state involvement in family life, but child protection staff interact with children and families, they make assessments about safety and risk, and they make recommendations to the judiciary to decide about intrusive and involuntary state interventions. Elected legislators make laws to ensure that state use of such power is predictable, fair and is accordance with principles for due process and the rule of law, but the foundation for the government in Western democracies is the people. Citizens elect their representatives and delegate the power to make laws and policies on their behalf. Thus, it makes sense to examine public opinion about children at risk, and the connection between professionals' views and citizens' views on child protection. Instances of egregious abuse to children are widely viewed as harmful and most – if not all – western industrialized countries have developed social and judicial systems designed to be responsive to serious cases (Burns et al., 2017; Gilbert et al., 2011). But in many countries, the threshold for intervention blurs when circumstances of child neglect are at play or when children's familial circumstances seem to carry risk, but without imminent danger.

In this study, we present citizens, frontline public agency staff, and judges and court decision makers (the two latter labeled herein as professionals) in four countries with the same case scenario, and based on this we ask them to consider if the scenario implicates child neglect, their views about the appropriate government response, as well as children's long-term well-being absent services. Our intention is to determine if citizens and professionals are in alignment with each other within and across jurisdictions. Further, we wish to examine if professionals are in alignment with each other, within jurisdictions and between jurisdictions. Our expectations are that we will find alignment between samples within countries and differences between countries due to the different child protection systems and welfare regimes that are in place (Burns et al., 2017; Kriz and Skivenes, 2013; Skivenes and Stenberg, 2013; Berrick et al., 2017). The sample includes child protection professionals (child protection frontline staff (n=1091); judicial decision makers (n=1691)) and a representative sample of the population (n=4003) in four jurisdictions (England, Finland, Norway, and the USA (California)).

What follows is a brief review of the issues relevant to public opinion and public administration, followed by a summary of the issues associated with child neglect. Thereafter we describe the four country systems that are the focus of this paper, our methods, followed by findings, and concluding remarks.

Legitimacy, public administration and rights

Democratic states are built on the foundation that state polices are accountable to, and in alignment with, the citizens' will (Heywood, 2004; Olsen, 2004; Rothstein, 2011). Political science typically equates democratic legitimacy first and foremost with democratic elections and peoples' support of their elected representatives. There is a stream of research on the connection between public policies and public opinion (Wlezien and Soroka, 2016), but research on public opinion regarding public administrative practice, i.e. policy in practice, is scarce. Some evidence suggests that this notion of "input legitimacy" is relatively strong in Europe, with alignment seen between citizens' and politicians' views on a wide range of issues (Murdoch et al., 2017). However, there is also a growing

branch in political science that points to the importance of the output side of politics, and emphasizes the quality of public policies and public administration in shaping our understanding of democratic legitimacy. The notion of “output legitimacy” focuses on policy outcomes as a reflection of or in response to citizen views (Majone, 1998; Murdoch et al., 2017).

In the article “Creating political legitimacy”, this point is elaborated:

«citizens generally come into contact with the output side of the political system—with the administration, that is—far more frequently and intensively than they do with its input side. Moreover, what happens to them on the output side is often of crucial importance for their well-being. One could say that the public administration is the political system—as citizens concretely encounter and experience it « (Rothstein 2009, p. 325).

The point that the legitimacy of public administration rests, in part, on the quality of public servants’ decisions and services provided (Rothstein, 2012), is supplemented with other important factors, namely that legitimacy is also about how well tasks and performance align with citizens’ views of how and why a service or an intervention is undertaken (Olsen, 2004; Rothstein, 2011). The extent to which we see “output” legitimacy between citizens and government has been evidenced in several large survey studies (see overview of research in Rothstein, 2009 p. 324ff.), and alignment between citizens’ views and public agency EU administrators’ views has been shown by Murdoch et al (2017, p. 390). Child protection issues however, are rarely included in cross-country surveys measuring citizens’ attitudes and values, although the field is, essentially, about normative questions, family values and cultural practices. Thus, citizens’ views about child protection are largely unknown, and this is especially true with regard to circumstances that are ambiguous (see as an exception: Skivenes and Thoburn, 2017).

The broad outlines of child protection are embedded, in many countries, in the precepts of the U.N. Convention on the Rights of the Child (CRC) (1989), though the details of each nation’s child protection system are also shaped by the cultural and socio-political frame of individual country contexts. Every country in the world is a party to the CRC with the exception of the United States, which has signed but not ratified it. The Convention lays out the human, political, and civil rights that should be afforded to all children. The Convention has 54 articles, with four main themes that structure the document relating to (1) the child’s right to life, survival, and development; (2) non-discrimination; (3) voice in matters of import to the child; and (4) devotion to the best interests of the child (UNCRC, 1989). Article 19 in the Convention formulates a state’s obligation to protect children against detrimental care:

“State Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.”

The Convention is a part of Norwegian law and thus also guides child protection policy. The CRC is a foundation, one of several, for Finnish law. Some English child protection policies refer to the Convention, although there is no specific requirement to follow it. The U.S., in contrast, does not make reference to the U.N. Convention specifically, though all states have policies designed to protect children from abuse and neglect. These legal frameworks require implementation at the regional or local level. Agents of public administration – in this case, social workers or child

protection staff and judicial decision makers – carry out the policy dictates of child protection within their country context. How these public administrators' views align with the views of the public has been infrequently examined.

Child neglect, children in need and children at risk

Child protection systems are typically designed to address both direct harm to children and risk of harm, whilst respecting family autonomy. In some countries, a protective response from the government also may be activated when a child or family presents as “in need” (see Gilbert et al., 2011). Child neglect, one of several forms of child maltreatment, may not always be perceived as a situation of risk since direct, observable, proximal, serious outcomes associated with neglect are somewhat infrequent (Zuravin, 2001). Risks associated with child neglect may be difficult to assess, in part because the behaviours of parents or caregivers that might constitute neglect usually involve acts of omission (and are therefore more difficult to “see”) instead of acts of commission (Mennen et al., 2010). Yet evidence of neglect's effects on children is ample and suggests that many outcomes are evidenced in adulthood, long after the experience has passed. In particular, a growing body of research shows that child neglect has lasting effects on brain development resulting in developmental delay and academic challenges (Hildyard and Wolfe, 2002; Perez and Widom, 1994; Wodarski et al., 1990). Moreover, child neglect has significant impacts on children's short- and long-term emotional and psychological well-being with children and young adults evidencing an array of mental health symptoms (Borger et al., 2005; Gauthier et al., 1996; Johnson et al., 1999; Johnson et al., 2000; Widom, 1999; Widom et al., 2007; Wright et al., 2009), and increased risk of suicide attempts later in life (Borger et al., 2005; Widom, 1998). Child neglect is associated with reduced earnings in adulthood (Currie and Widom, 2010), and higher rates of criminal involvement (Maxfield and Widom, 1996; Smith and Thornberry, 1995; Widom, 1989b; Zingraff et al., 1993). Related effects include a diminished capacity to regulate emotion (National Scientific Council on the Developing Child, 2012), an essential quality necessary for positive parenting later in life. The adverse childhood experiences study (ACEs, see Felitti et al., 1998) also documents clear links between childhood trauma such as abuse or neglect and adult life situations that include increased risky health behaviors, chronic health conditions, limited life opportunities, and early death. The ACE study also shows that cumulative childhood traumas increase the likelihood of adverse effects in adulthood (although critics such as White et al. (2019) have argued that ACEs may lead to overly-deterministic interpretations). In all, the long-term causal effects of severe child neglect are profound, largely affecting cognitive, academic, and social functioning (for a review, see Petersen et al., 2014).

There is no universal definition of child neglect. Child neglect is considered a heterogeneous phenomenon; its definitional boundaries may depend especially on dimensions of severity and chronicity (Dubowitz et al., 1993). Other factors are important in determining a definitional frame for child neglect. These might include the intentionality of the caregiver, the child's age and vulnerability, and whether harm or risk of harm occur (Rose and Meezan, 1993; Zuravin, 2001). There also may be underlying cultural beliefs among families within a single country that cloud a unified definition of neglect (Elliott and Urquiza, 2006). A recent study to examine lay definitions of neglect in England (Williams, 2017) suggested that the public takes the issue of child neglect quite seriously, and that there is significant concern about the long-term negative outcomes for children. In that study, the etiological frame for child neglect centered on limited parental knowledge or skills or under-investment of parents; other UK studies of lay populations suggest that inadequate parental resources or parental selfishness are the cause (Kendall-Taylor & Lindland, 2013). Studies in the U.S. show relatively high congruence of lay views about the behaviors associated with child neglect (Korbin et al., 2000), though, in general, there is somewhat less consensus about the definitional boundaries of neglect than there is about other types of child maltreatment (Bensley, et al., 2004).

In spite of the ambiguity surrounding the definition of child neglect, the phenomenon is relatively prevalent in some countries. For example, in Canada, about one-third of substantiated maltreatment investigations relate to child neglect (Trocme et al., in press). Almost one-half of children on a “child protection plan” in England have been identified as “neglected” (Thoburn, in press). About one-quarter of children referred for child protection services in Ireland were referred for child neglect (Burns et al., in press), and about two-fifths of children reported for maltreatment in Israel were referred with allegations of neglect (Gross-Manos et al., in press). In the U.S., among all official reports of maltreatment, almost three-quarter pertain to child neglect (U.S. DHHS, 2018), though substantial variability can be found between the 50 states both in the legal definitions of the phenomenon and in its prevalence (Rebbe, 2018). Child neglect is closely associated with family poverty. According to the National Incidence Study in the U.S., children from low-income families are five times more likely to experience neglect than children who are not from low-income families (Sedlak et al., 2010). And in the U.K., child neglect follows a gradient that resembles the gradient of family socio-economic status (Bywaters et al., 2016).

Given the ambiguity in defining child neglect, it is no surprise that the definitional frame for children “in need” is wide. Wald (2015), for example, suggests that a large proportion of children are likely “in need” in the U.S., and up to 20% may be receiving less than adequate care from their parents (and therefore might fall under a wide definition of child neglect). Determining the appropriate state response – if any – to such situations may be challenging and may outstrip state resources or public tolerance. Focusing, instead, on risk of harm narrows the definitional frame for maltreatment. In one study of child protection “experts” and lay community members, both groups focused the definition of maltreatment on adult-child interactions that resulted in harm to the child (Kendall-Taylor & Lindland, 2013); both groups also expressed a dim view about the long-term outcomes of maltreatment for children. When harm or danger are clear, the research evidence suggests a high degree of alignment between the public’s and professionals’ views of maltreatment. When situations of need or risk are more ambiguous – a situation faced by many child protection professionals – these consensus-based views may not hold. More important, what state agents should do in marginal or contested cases is especially unclear. Determining when or if the state should be involved in addressing a child in need or a child at risk are important in influencing state responses to children and to families. In this paper, we analyse unique data material from four countries to determine alignment between citizens’, social workers’, and judges’ views about child neglect, risk, present and future best interests, and an appropriate state response.

Country Context

Four countries provide the context for this study: England, Finland, Norway, and the USA (California as the site of this study). Readers can find an overview of the four countries’ child protection systems and overall frameworks (Gilbert et al., 2011), and a more detailed examination of child welfare design elsewhere (Berrick et al., 2015). For purposes of this study, the four countries can be described as representing both different welfare state models and child protection models. The Finnish and Norwegian child protection systems have been categorized as representing “family service systems” where a range of family support services are offered to families both universally and targeted to those exhibiting need (Gilbert et al., 2011). In addition to their family service orientation, these countries are notable for their keen focus on children, children’s needs, and children’s rights (Pösö, 2011; Skivenes, 2011). In both countries, the U.N. Convention on the Rights of the Child serves as the legislative backbone for child protection policy. The U.S., in comparison, has been categorized as a “child protection system” oriented toward assessing and intervening when children are harmed or are at risk of harm (Berrick, 2011; Gilbert et al., 2011); services are more limited and are typically targeted. England is a hybrid model (Parton and Berridge, 2011), tilted toward a family

service approach in its aspirations, but not always so in funding decisions and practice (Parton, 2014; Thoburn, in press).

Among western industrialized nations, their differences are by degree rather than stark. A dimension relevant to this paper is each country's orientation toward a "child's best interests" principle to justify state involvement. Finland and Norway embrace a "best interest" principle to guide child protection practice. In England, the child's welfare is stated to be the "paramount" consideration in family court proceedings (Children Act 1989, s. 1) but that does not mean the only one, and in practice it has to be balanced with the demands of justice, parents' rights, parents' and children's wishes and feelings, and available resources. The U.S. does not use a best interest principle to justify state involvement, instead using a standard of safety or imminent risk of harm.

All of the countries rely on in-home services wherever possible to support families and children. In Finland, for example, about 4% of all children in the country receive some type of in-home service authorized by the Child Welfare Act, whereas 1.4% of children are in out-of-home care (Lastensuojelu, 2018); the large majority of services (in-home and out-of-home) are voluntary (Pösö, 2011). In Norway, over two-thirds of children served by child welfare receive in-home services and over four-fifths of all families voluntarily consent to services (NNS, 2011). At first blush it would appear that the U.S. is similar: about two thirds of children who have been identified as "victims" of maltreatment receive in-home services and about one-third are removed to out-of-home care (US DHHS, 2018). But the intensity and duration of typical services in the U.S. are notably lighter and shorter. And in England, about three-quarters of services provided to families are in-home; out-of-home services are more likely to be compulsory (Thoburn, in press).

Across these four countries, care orders – efforts to separate a child from his/her parents – are recommended by child protection professionals from a government-sponsored child welfare agency, and must be approved by a judicial agent. However, in Finland, the judicial agents are involved only in those cases when parents and children (12 or older) object to a care order proposal by child protection professionals. In the U.S. and England, a judge is the typical arbiter in these decisions where attorneys for all parties' present evidence to justify the state's actions or to represent the parent or the child (California). In Norway, a three-person panel serves as the judicial body, including a judge, an expert member, and a lay person (Skivenes and Søvig, 2017). In Finland, an administrative court hears cases pertaining to care orders. There, a three-person panel including two judges and an "expert member" hear the details of the application and render a decision.

Because the four countries under study, here, represent different welfare state models, different child protection models, and have different standards for state intervention (see Gilbert et al., 2011), an analysis of the public's views about child neglect – a prevalent, though less obvious form of maltreatment -- and public professionals "thinking like their wider community" (Murdoch et al., 2017: 390) is warranted.

Methods

The study reported here is part of a larger project relating to decision-making in child protection, funded by the Norwegian Research Council. Findings in this paper are derived from three separate samples, each described in turn. In each country, we developed customized recruitment strategies to be responsive to each country context. Detailed information about ethical approvals, recruitment strategy for each respondent group in each country, and questionnaire, are available online: (<https://www.uib.no/admorg/85747/survey-material-legitimacy-and-fallibility-child-welfare-services>)

Sample

General population. We used a polling firm in each of the respective countries to carry out sample selection and recruitment in order to obtain representative samples in each jurisdiction. The total

sample size was 4,003 and within each country the sample size was 1000 each in Norway and England, 1002 in Finland, and 1001 in California. The questionnaire is available here:

<https://www.uib.no/admorg/85747/survey-material-legitimacy-and-fallibility-child-welfare-services#population-surveys>

Judicial decision makers. A sample of 1,440 judicial decision makers responded to the survey with a varying response rate: In England we have 54 respondents, a small proportion of all the judges who do this work but a relatively high return in that we only asked for one or two from each of the family court areas in England, of which there are 44. In Finland we have 65 respondents, and our response rate is conservatively estimated to be around 25% for judges and 45% for expert members. About fifty-five percent of judicial decision makers in Norway responded to the survey (n=1,323). In the U.S. (California), we estimate an approximate 20% response rate from judges (n=39) answering the survey. An important caveat for this study is that the vignette used in this paper and the response options were not provided to California judges as we were informed that it would be an ethical violation for judges to render an opinion outside of a court and without all of the legal evidence available. The majority of judicial respondents were female (56%) with a median age between 46 and 55 years. All respondents had a university degree. In some countries, judicial decision makers had an advanced degree, depending on their role (e.g., judge versus community expert member). The questionnaire is available here: <https://www.uib.no/admorg/85747/survey-material-legitimacy-and-fallibility-child-welfare-services#court-level-survey>

Child protection professionals. A sample of 1,027 child protection staff participated in the survey. The response rate varied in each country – in part a reflection of that country’s organizational and workload context, and likely a response to different work-related burdens relating to research. In England and Finland we have an estimated unknown response rate as we could not determine the denominator – the number of child protection staff who received the survey. In California, 38% of the sampling frame participated and in Norway we had a 30% response rate. Of the 1,027 respondents, 132 were from England, 340 were from Finland, 454 were from Norway, and 101 were from California. Most participants (75%) had prior experience making recommendations to court in favour of child removal (referred to here as a “care order”). The majority of respondents were female (64% in England and about 90% in the other countries), and most were aged 36-45 (though in England they were younger with a median age of 25-35 years). The educational backgrounds of respondents varied by country: the majority of staff from California had a master’s degree (88%), whereas about half of respondents from Finland and England had advanced degrees (58% and 51% respectively), compared to 9% of the Norwegian respondents. English staff had worked in the field for a shorter amount of time (perhaps due to their younger age, or possibly due to greater turnover) with a median of 1-4 years, whereas staff from the other countries had worked in child protection for a median of 5-9 years. The questionnaire is available here:

<https://www.uib.no/admorg/85747/survey-material-legitimacy-and-fallibility-child-welfare-services#social-worker-survey>

Instrumentation

In each of the three on-line surveys, we presented participants with the same vignette about siblings who might need support or supervision from the state. This is a copy of the vignette as it was presented in the population survey :

“A principal at a school in your region presents the following case. We ask you to read it and then considering five statements.¹

¹ For frontline staff we used the following formulation: “Please imagine that a principal at a school contacts your agency for a consultation about the following case:»

Jon (11) and Mira (9) are living with their parents. Both mother and father have learning difficulties and mental health problems. The school is very concerned about the situation, and a psychologist has examined the children. She has concluded that Jon and Mira have serious problems with learning and they lack social skills. They are clearly lagging behind their peers, and this is confirmed by their test scores. The psychologist has stated that this is due to lack of stimuli and help from the parents, and the children need a lot of help and support. Further, the psychologist stated that the children lack basic social skills, especially Mira (9). The parents are socially withdrawn and cannot teach and show their children how to behave towards friends and other adults. The psychologist concludes that Mira and Jon are at significant risk of becoming as socially withdrawn as their parents.

Respondents were given five statements based upon the limited information provided. The statements to which participants responded were similar for judges and the population, but varied slightly for the child protection professionals because the vignette describes a situation that they professionally would have knowledge about and experience with. We provide the wording for the general population and the judges here and in footnote the wording for child protection staff: (1) It is likely that Mira and Jon are being neglected by their parents.² (2) In this situation a child welfare agency should provide services for Jon and Mira.³ (3) In this situation the child welfare agency should consider preparations for a care order.⁴ (4) Without help now, it is not likely that Jon and Mira will lead a well-functioning life as adults.⁵ (5) Without help now, it is not likely that Jon and Mira will be able to gain employment as adults.⁶ Respondents were asked to rate the statements on a five point Likert scale from strongly disagree (1) to strongly agree (5).

Respondents completed the surveys in all four countries from February to June, 2014. Surveys for professionals took about 8-12 minutes to complete. Citizens responded to the vignette as part of an omnibus survey. Issues of language and translation are always challenging in cross-national studies. The survey questions were developed in British English and were then translated into Finnish, Norwegian, and US terms. In Finland and Norway, the surveys were also language edited by individuals unrelated to the research project. Surveys were pilot tested in each of the four countries prior to finalization.

Analysis

We used both SPSS and Stata for analysis. To ensure transparency about analysis of data we have an appendix which is supplementary material for online hosting available at https://www.discretion.uib.no/wp-content/uploads/2019/11/APPENDIX_Citizen-and-Professional-Perspectives-in-Child-Protection.pdf. In this paper we present graphs with mean values per country, and in the appendix we have figures with percent values (merged the values 1 and 2 as disagree, and 4 and 5 as agree, and 3 as neither disagree nor agree) as well as tables with mean values, standard error, and n, for each sample per country and in total. We used a two-sample t test to analyse significant differences between mean values across the different samples. The tests are done with STATA 15 - ttest calculator. Results are in tables 2, 3, and 4 in the appendix. We report statistical significance only at 1% (***) since this analysis is not theoretically driven and the 5% level is considered to be at the margin of what is relevant to report as statistically significant. We have

For judiciary decision makers we used the following formulation: “We ask you to imagine that a principal at a school in your region asks your opinion, as a decisionmaker in child protection cases, about the following situation:»

² It is my professional opinion that Mira and Jon are being neglected by their parents.

³ In this situation, my workplace would provide services for Jon and Mira.

⁴ In this situation, my workplace would consider preparations for a care order. In the CA survey, the wording was: In this situation my workplace would consider preparations for child removal.

⁵ It is my professional opinion that without help now, Jon and Mira ...

⁶ It is my professional opinion that without help now, Jon and Mira...

elsewhere presented an in-depth analysis of frontline staff’s responses to the three first statements (Berrick et al, 2017), and thus will only briefly reiterate them here.

Limitations

Information from this study provides hints about the public’s, social service personnel, and judicial decision makers’ views on an ambiguous and highly contested phenomenon and the appropriate service response across four countries. In spite of its ambitious aspirations, there are limitations to be considered, of course. Response rates varied across countries and across respondent groups, a function of each country context and researchers’ access to each sampling frame. We endeavoured to translate and back-translate surveys to be both responsive to the unique linguistic context of each country while maintaining a similar meaning across countries. We believe this was accomplished to a large degree, but we assume there are subtle differences that we may not have captured. Because “neglect” is a widely defined phenomenon, we relied upon a short case vignette to create a uniform situation to which participants might respond. Some authors have raised concerns about the use of vignettes in social science research in part because they do not fully capture the complexity of real-life circumstances, they may not be perceived as realistic, or they may not tap into respondents’ actual behaviours (Skivenes and Tefre, 2012). Nevertheless, vignettes have been used previously in other cross-country studies (Soydan, 1996; Benbenishty et al., 2003) and may be an especially appropriate strategy to manage diverse systems, cultures, languages, and contexts. It is important to appreciate that the wording for all frontline staff in the questionnaire was slightly different than for the judges and the populations, and for example when asked about what their workplace ‘would’ do in terms of services, workers could conceivably have thought that their agency *should* provide services, but *would* be unlikely to do so for various reasons. On a last note, we only focus on part of the data and the results, namely the degree of alignments within and between jurisdictions, and we do not present any correlation analysis of background variables to stay within the journal article format.

Results

The findings section displays descriptive results of the five statements in total for each sample and per country, with mean values and in percent. In table 1 below mean values and standard error and number of respondents is presented. In the presentation, we focus on similarities and differences between samples within and between countries.

Table 1. Mean value, standard error and n for five statements S1-S5, across country and samples. (1) strongly disagree - (5) strongly agree).

Statement	Samples	Norway	Finland	England	USA (CA)	Total
S1 Neglect	CW Workers	3.6887 (0.0345) 453	3.0360 (0.0511) 333	3.3 (0.0799) 130	2.5148 (0.0885) 101	3.3087 (0.0291) 1017
	Judge	3.530 (0.0220) 1579	3.1076 (0.1054) 65	3.2777 (0.1279) 54	- - -	3.506 0.0213 1698
	Population	3.611 (0.0283)	3.382 (0.0327)	2.979 (0.0331)	3.159 (0.0379)	3.283 0.017

		1000	1002	1000	1001	4003
S2 Services	CW Workers	4.267 (0.0383) 449	4.528 (0.0390) 333	3.461 (0.0959) 130	3.87 (0.0960) 100	4.21 0.0284 1012
	Judge	4.3839 (0.0187) 1576	4.6461 (0.0636) 65	4.2222 (0.1079) 54	- - -	4.4388 0.0179 1705
	Population	4.303 (0.0249) 1000	4.2804 (0.0236) 1002	4.21 (0.0232) 1000	4.1058 (0.0279) 1001	4.224 0.0125 4003
S3 Care order	CW Workers	3.504 (0.0505) 452	2.0661 (0.0496) 332	2.630 (0.0989) 130	1.88 (0.0782) 100	2.761 0.038 1014
	Judge	3.3286 (0.0263) 1579	2.3691 (0.1171) 65	2.8518 (0.1332) 54	- - -	3.2767 0.0256 1698
	Population	3.08 (0.3471) 1000	2.864 (0.0360) 1002	3.203 (0.0333) 1000	2.8731 (0.0399) 1001	3.004 0.0181 4003
S4 Wellbeing	CW Workers	3.969 (0.0322) 453	3.9491 (0.0442) 334	3.638 (0.0893) 130	3.118 (0.0847) 101	3.835 0.0261 1018
	Judge	3.8072 (0.0199) 1574	3.8125 (0.0914) 64	4.0370 (0.0697) 54	- - -	3.8 0.0 1700
	Population	3.963 (0.0247) 1000	3.890 (0.0269) 1002	4.042 (0.0255) 1000	3.905 (0.0294) 1001	3.95 0.0133 4003
S5 Work	CW Workers	3.395 (0.0382) 453	3.488 (0.0490) 334	3.153 (0.1015) 130	2.851 (0.0825) 101	3.3408 0.0285 1018
	Judge	3.2878 (0.0210)	3.2698 (0.0938)	3.5925 (0.1007)	- -	3.296 0.0201

		1574	63	54	-	1691
		3.595	3.7025	3.725	3.6143	3.659
	Population	(0.0284)	(0.0288)	(0.0280)	(0.0320)	0.0147
		1000	1002	1000	1001	4003

Neglect?

We start with the results of respondents' assessment of the children's situation. For each sample, a majority of respondents (social work staff, judicial decision makers, and the population) were inclined to agree that Jon and Mira's circumstances could be characterized as "neglect" (mean values 3.3-3.5, see table 1). Examining the country findings, we see that the population in England (mean 3.0) and the child protection staff in CA (USA) (mean 2.5) are less likely to view the children's circumstances as "neglect," and the Norwegian population and child protection staff are more likely to view the children's circumstances as "neglect" (mean 3.6 and 3.7 respectively). Examining the distribution of responses, there is a substantial group that answers neither agree nor disagree (cf. figures 1.1-1.4 in appendix).

There are significant differences between samples at the 1% level, within country as well as when comparing samples across countries, on almost all combinations of mean value testing, except between English frontline staff and English judges (cf. table 1, 2 and 3 in appendix).

Examining only the respondents who indicate that they agree that it is likely that the children are neglected (cf. figures 1.1-1.4 in appendix), we see that within systems the professionals' views are largely in alignment with each other. However, the population deviates from frontline staff and judges in Finland (the population is more likely to view the children's circumstances as «neglect» by about 10%); further, in CA (USA) the population is much more likely than staff to view the circumstances as «neglect», by about 20%. In England, the population is less likely (by about 10%) to view the circumstances as neglectful compared to staff.

Provision of services?

Regardless of whether respondents labelled children's situation as neglectful, the large majority for each sample (mean between 4.2-4.4) as well as within countries saw a need for services, with one outlier: Child protection staff in England (mean 3.5) (see table 1). In most instances, between 77%-99% of respondents felt that the children's circumstances warranted a service response (see figures 2.1-2.4 in appendix), and for staff in England it was 55%. There is an overall alignment between professionals' responses in all countries, except in England where judges are +30% higher than child protection staff. It is also alignment between populations and professionals except for England, as mentioned, and also judges in Finland are 10% higher in agreement than the population.

There are still significant differences between samples at the 1% level, within countries as well as when comparing samples across countries, on almost all combinations of mean value testing (cf. table 1,2, and 3 in appendix). The only exception is that there is no difference between child protection workers and the population, when country samples are merged (cf. table 3 in appendix).

Considering care order?

Unlike the uniformity of high agreement regarding the need for services, respondents' views about considering a care order (e.g., placement into foster care) were reluctant with mean values for the samples from 2.8-3.3 (cf. Table 1). Examining the country findings, we see that the child protection staff in CA (USA) (mean 1.9) and Finland (mean 2.1) are the least likely to view the children's circumstances as warranting a protective care order. In contrast, Norwegian child protection staff

(mean 3.5) and judges (mean 3.3) and the English population (mean 3.2) are more inclined to see the merits of a care order. Examining the distribution of responses, there is a substantial group that answers neither agree nor disagree (cf. figures 3.1-3.4 in appendix).

There are significant differences between samples at the 1% level, within countries as well as when comparing samples across countries, and merged samples, on almost all combinations of mean value testing except between the judges in England and the population in Finland (cf. table 2 in appendix).

Examining only the respondents that state that they agree that they would or should consider a care order (cf. figures 3.1-3.4 in appendix), we see that within countries front line workers and judges are in alignment with each other, but the populations deviate. In Norway, the population is less likely to favor a care order (differ more than 10%), and in England and Finland, the population – compared to frontline staff and judges -- is more likely to view a care order favorably (by almost 20%). And in California, the divergence in views is even greater with the population favoring a care order much more than child welfare staff (by over 30%).

Well-being as adults?

Child neglect has both short- and long-term effects, and respondents were asked about the children's well-being as adults absent a service response. Regardless of whether respondents labelled children's situation as neglectful, the large majority across groups and countries did not find it likely that the children would lead well-functioning lives as adults (mean score ranged from 3.8 to 4.0) see table 1. There are only two outliers: Child protection staff in England (mean of 3.6) and CA (USA) (mean 3.1) did not express the same degree of concern about the children's long-term future well-being.

There are significant differences between samples at the 1% level, within countries as well as when comparing samples across countries, on almost all combinations of mean value testing except that English judges and the English population are similar (cf. table 1 in appendix).

Examining only the respondents that indicated that they agree that the children will not have well-functioning lives as adults without services (cf. figures 4.1-4.4 in appendix), we see that California social work staff stand out. Within systems frontline staff and judges are in alignment with each other except for in England where judges showed greater concern for children's long-term well-being than child protection staff (by about 30%). The general population in England was largely in agreement with judges. In Finland and Norway, professionals and the population were in alignment. In CA, the population showed much greater concern about the children's long-term well-being (by about 40%) compared to the child protection workers.

Employment as adults?

Using a narrow frame of reference, we asked if Jon and Mira's prospects for adult employment might be compromised absent a service response. In general, there was a concern about the children's long-term employment prospects (mean score ranged from 3.3-3.7) (see table 1). There is one outlier: Child protection staff in CA (USA) (mean score 2.9).

There are significant differences between samples at the 1% level, within countries as well as when comparing samples across countries, on almost all combinations of mean value testing (cf. table 1, 2 and 3 in appendix). Examining the distribution of responses, there is a particularly high portion of the respondents that answers neither agree nor disagree on this statement (cf. figure 5.1-5.4 in appendix).

Examining only the respondents that agree that the children will not be gainfully employed as adults (cf. figure 5.1-5.4 in appendix), we see that child welfare staff and judges in Norway are in alignment with each other. However, staff in England and judges differ, with judges more likely to have concerns about the children's employability (difference by more than 10%). In Finland, judges are less concerned than staff (also by more than 10%). Across all four countries, the population displayed

greater pessimism about the children's employment prospects compared to staff and judges (more than 10% difference in England, Finland, Norway, and more than a 30% difference in CA (USA)).

Discussion

In most western industrialized nations, legislative bodies develop the policy frame that shapes administrative responses to social problems and they do this in the context of the public's demand (or perceived demand) (Kingdon and Thurber, 1984). In this study, we ask how citizens, child protection professionals, and judicial decision makers view children's circumstances relating to need, risk, and protection, both in the near-term and in the long-term. Findings are derived from unique data material consisting of the responses of child protection staff, judges and citizens in four countries, on the same case scenario implicating child neglect. We examined findings within and across countries. Our expectations were that we would find alignment between samples within countries and differences between countries due to the different systems and welfare regimes that are in place. We sort the discussion in relation to three dimensions: 1) neglect, 2) state action, and 3) predictions about children's future.

Neglect

First, in the assessment of the children's "neglect," we see significant variability between countries and some important differences within countries. Norwegian respondents were more likely to view the children's circumstance as "neglect," and the California respondents were less likely to view the children's circumstances as "neglect." Overall, we find that the citizens and the professionals are in alignment, that professionals are in alignment within countries, and that there are clear cross-country differences on some of the considerations. However, there are interesting outliers to these general findings. Whereas all three samples of Norwegians were in alignment and more than 50% agreed that this was likely neglect, we did not see this uniformity of opinion within other countries, and respondents in the other countries were also less likely to characterize the children's circumstances as neglect. In England, the child protection staff and judges' inclination to view the children's circumstances as "neglect" (just below 50% did so), may be explained by practice and policy changes that have brought increased focus on neglect in the English system (e.g. Berrick et al., 2017). English citizens may not be aware of this change, and their relative low concern (compared to the professionals and the other three populations) may also reflect less sensitivity to these issues. For Finland, one-third of the professionals agreed that the children were probably experiencing neglect, but for the population the rate was close to 50%. One explanation for this discrepancy may be that professionals in Finland are trained to refrain from judgement against parents' actions (Berrick et al., 2017) and the wording of the survey question suggested that the parents' actions were responsible for Mira and Jon's circumstances. In contrast to the other countries and samples, only about one in ten child protection staff in California viewed the children's situation as "neglect" whereas about four in ten of the population viewed the situation similarly. The rather large discrepancy between California staff and citizens may be because staff know that this type of neglect does not, in their risk-oriented system, typically call for a child protection response.

There was variability in the populations' views across the four countries. English and California citizens were least likely to view the children's circumstances as "neglect," and Finnish and Norwegian citizens most likely to view the situation as "neglect." These findings align with the distinctive child protection frames that shape these country systems (Gilbert et al., 2011) as well as their distinctive welfare state models (Esping-Andersen, 1999).

State Action

On the matter of what the child protection system should do, there was general support for service provision for the children, within and between countries. The apparent exception is the English frontline staff, and this may be the realization that they would not have resources to provide services for children displaying such needs in their country (Berrick., 2017). Yet in California, over three-quarters of child protection staff indicated that services “would be” provided to children such as Jon and Mira. This finding is surprising since public child protection staff would not, typically, have authority or funding to provide these services. We interpret these findings instead to suggest that some agency usually would be involved – at least minimally - whether that service entity was a school or a local non-profit agency.

In terms of activating an intrusive measure such as a care order, there are significant variations between countries and between samples. In all countries, the legislative frame requires in-home services prior to an intrusive state response, assuming the children are not in immediate danger. Nevertheless, the Norwegian child protection staff and judges stand out, being more inclined to consider a care order compared to all other groups including the Norwegian population. Speculating as to why the Norwegian professionals stand out, it could be the term “consider” since this signifies some deliberation without a necessary action. Norwegian child protection staff and judges may also have a lower threshold of tolerance for neglect compared to professionals in other countries and may be more likely to view foster care as a reasonable state response. In contrast, few Finnish child protection staff (8%) and judicial decision makers (12%) agreed that they would consider a care order, but a considerably higher portion of the population would agree to this. While both Norway and Finland have approximately the same number of children placed out of home (about 10 per 1000 children) and share a family service orientation system that offers an array of service options prior to placement, Finnish professionals may have more faith in their in-home service response and their own problem-solving capacities than Norwegian professionals, in general.

Although England and CA share relatively similar system thresholds, we saw important differences between professionals’ views on the question of considering a care order. Around one-fourth of the English professionals would consider a care order, compared to almost none of the CA staff (2%). A higher percentage of the populations in both jurisdictions would consider a care order compared to the Nordic countries. For the English and the Californians, we believe that the average professional did not believe the threshold for removal was met, but the CA workers’ responses provide insight into the very high threshold of harm that must be evident in order to consider foster care. It is unknown the degree to which the English and California populations know about the child welfare system, the threshold for a system response, or about the overall quality of foster care available to children. These factors might play into their responses if they were known, but absent this information, the populations’ response to this question shows their clear concern that a significant state response is sometimes warranted.

In three of the countries (England, Finland, CA), the public was more likely than the judges and front-line workers to indicate that an intrusive intervention was appropriate; not so in Norway. Although the reasons for these disparities may not be entirely clear, they nevertheless suggest that there are grounds for possible tension with the wider system on the use of intrusive interventions.

Overall, the public held similar views across countries: they expressed favorable views toward the offer of services, and these views were more tempered regarding an intrusive intervention. This may reflect a general reluctance toward intrusive state intervention and use of power towards citizens. A similar explanation is suggested in a meta study of public acceptability of government interventions to change health related behavior (Diepeveen et al., 2013) in which the authors pointed to a correlation between intrusiveness and public reluctance.

Predictions about children's future

The future prospects of the children were characterized as fairly bleak across countries (70-80% of respondents), with two exceptions: social workers in England (59%) and CA (31%). Reflecting the neo-liberal state systems and the risk oriented child protection systems of England and the U.S., social work staff may be relatively pessimistic about the impact of a government response on individuals, or aware that the service response, at least in the U.S. is typically time-limited or of low-intensity. These state actors may also be reflecting their experiences or preferences relating to children's opportunities to thrive due to any variety of individual, family, or community influences. In terms of predictions about employment, the responses are varied with large groups offering a neutral response. The public is generally less optimistic (around 55-65%) compared to the professionals (around 23-55%). In Norway and Finland it's possible that social workers and judges have better insight into the job training services available for adults, or about work possibilities for low-skilled workers. In England and California, as above, social work professionals may be less sanguine about the effectiveness of services on future outcomes.

Concluding remarks

This study brings forward new insights into the legitimacy of governments by studying the "output" legitimacy of welfare state responsibilities. We have few studies comparing the viewpoints of citizens and public agency administrators' and judges. The findings reported here are important as they reflect normative views across countries relating to the public's expectations of the state vis-à-vis children and families. We identify some interesting differences between the professionals that represent the child protection system and make decisions about children and families, and the population that authorizes the legislature to craft a government response. The differences are most evident with regard to how different stakeholder groups view risk for children, intrusive state interventions, and future employment prospects for children. The alignment is on service provision and the concern for the children's future wellbeing.

Overall there is agreement across samples that services should be provided and that without services, the future prospects for the children are poor. However, the public is more likely than the professionals to label the children's circumstances as "neglect," and to support an intrusive state response. We expected a high degree of similarity in responses within countries, but instead saw a good deal of similarity in the public's views across countries, hinting at normative frames that may be universal. That frame may speak to normative views about the rights of children, about the responsibilities of parents toward their children, and a view that vulnerable children's needs should be attended to and protected by the government. This positive expectation of child welfare services stands in contrast to media coverage in all of these countries that is often critical of child welfare interventions (as either overly intrusive or insufficiently intrusive).

Although the welfare states in which these systems are embedded are quite different, they are all highly developed systems, each with a clear legislative frame for responding to children in need. This study shows the importance of the system structures on its decision makers, as we see alignment between child protection workers and judicial decision makers within countries on their views of neglect, the need for state-sponsored services, and future prospects for the children.

Where we see homogeneity of responses across stakeholders, we speculate that legislative decision making in child protection may be more straightforward. That is, to the degree that various stakeholders' views are in alignment, the policy-making process is likely to be more streamlined, to require less negotiation, and may respond more rapidly to citizens' perceptions of need. The public's concern about children and their expectation of a state response prompts some reflection about the design and funding for a robust child protection system. Citizens seem to expect more of these systems than what they may offer.

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