

Norway case study:

Supporting children's voice and agency in policy change on child wellbeing

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1. Introduction

This case study is implemented within the project 'Fostering policy support for child and family wellbeing - Learning from international experience'. Using a thematic and analytic framework for the project that draws on Kingdon's multi-streams theory,² we are gathering and sharing evidence and learning on what has led to increased policy recognition of and policy change in family and child health and wellbeing (FCHW). In specific countries that have demonstrated policy recognition and change in FCHW post 2000, we are exploring within their context how different policy actors have come together to raise policy attention, develop policy options and promote their political adoption as processes for policy change, taking advantage of windows of opportunity for that change. The case studies were implemented with a local focal person with direct knowledge or experience of the policy process and include evidence from published and grey literature and interview of key informants involved in the policy processes.

This case study explores how children's voice has been integrated and strengthened in policy dialogue post 2000, including through the role of an Ombudsman for Children.

Despite Norway's longstanding rights-based, welfare approach to child wellbeing, by 2000 children still played a limited role in policy development. Strong, stable civil society organisations that directly involve children, such as the Norwegian Children and Youth Council (LNU), the Change Factory and Save the Children Norway, together with the Ombudsman for Children in Norway (OCN) as an independent state agency have provided safe spaces and participatory processes for children and youth to express and report their experience and ideas, exposing deficits and hidden realities in children's interactions with child care, police, refugee and other services. With the shock of the 2011 terror attack, these initiatives have given impetus to public attention on children's voice as a right.

Norway's parliament provided opportunities to consult children on policies. Civil society and the OCN supported and capacitated children and their organisations to submit their evidence and proposals to parliament and other formal authorities. The OCN bridged formal and informal processes, as both a credible state agency and a trusted convenor of informal processes for children to express themselves, especially for those in vulnerable settings. The realities that children presented to political actors were a wake-up call, triggering their support. Youth also become more influential through their involvement in political parties, in media and recently in actions on climate change.

These processes raised cross-party political support for law reforms on children's participation in planning in municipalities, schools, health services and the care system. The 2014 Constitution now provides a duty for this. Law reform has motivated investment in the orientation of personnel and capacities of children to ensure these rights. Challenges and social debates continue and barriers remain, especially for disadvantaged children. There is, however, a growing understanding on the new and important insights children bring to the improved functioning of society and services and a change is underway from speaking for children to speaking with children on policies and services.

2. The context

Norway is a high-income country in Europe, with the second highest Gross Domestic Product (GDP) globally. In 2018, the country had a population of 5.4 million people, 18% of whom were between 0-14 years old. Norway has translated economic growth into rising living standards and a low gender gap, albeit with a considerable gap between the richest and poorest families (OECD, 2016; Corrigan, 2017). The government has had many years of a welfare state. Education is viewed as a means to diversify the economy and foster higher and more inclusive growth. The extended family in Norway is gradually having less influence in family life, so that children and parents are more dependent on local communities and public institutions for support. Inter-generational contact is falling and children learn from formal education more than from family elders (Engevoold, 2018).

The country has a social democratic system with a symbolic monarchy. Executive power is exercised by the Council of State, the cabinet, led by the Prime Minister. Legislative power is vested in government and the legislature, the *Storting*, elected within a multi-party system. The judiciary is independent of both executive and legislature. There is a strong sense of community and high levels of civic participation, with higher than OECD average levels of voter turnout in elections (OECD, 2016). Youth work in Norway is traditionally "grass-roots" and "decentralised" to municipalities that have a high degree of autonomy in youth policy and practice (Bergan, 2017). Norwegians generally have a relatively high level of confidence in the state (police, judiciary and parliament). Public confidence is lower in political parties, although higher amongst young people (ESS, 2019).



Norway map, EP Anthony, 2010

Norway was a very early adopter of protection of child welfare and a rights framework for child wellbeing. It was the first country in the world to establish child welfare in law in the *Lov om forsømte barn - Vergerådsloven* of 1896. The country played an active role in the 1989 UN Convention on the Rights of the Child (CRC), enacted a Child Welfare Act in 1993 and included child rights in the 1999 Human Rights Act in a 2003 amendment. This was partly a result of advocacy by civil society such as *Forum for Barnekonvensjonen*, a network of non-government organisations (NGOs) and institutions, described further later (Smith, 2015). The child welfare system combines protection, prevention and support (Tjelflaat and Lurie, 2010). However, the law and system was until the 2000s focused more on adult duties to protect, than children's rights, including children's rights to participation and a voice in their welfare system (Norway Govt, 1993).

The CRC and domestic commitments to child wellbeing provided for secure living conditions and safe environments for children. There continued to be challenges, including in monitoring policy implementation and managing grievances and gaps and service delivery (Lundy et al, 2012; Smith, 2015). Most Norwegians perceive welfare as a public responsibility and support redistribution and equality, although this varies between social groups (Sørvoll, 2015). While all children have a right to a place in kindergarten, participation is voluntary. Norway's generous paid parental leave meant by 2000 that only 3.2% of children under one year old were in kindergarten (NMER, 2015). Children in immigrant families have higher levels of child poverty. While parents with children aged 1-2 years receive a benefit for child care if their children are not in a kindergarten, this may not be enough to motivate low-income mothers to stay out of work to care for their children (Sørvoll, 2015). In 1989, municipalities were given the duty to give children the opportunity to express their views on their protection and on family matters. However, implementation was reported to be weak (Smith, 2015). Policy development on children was criticised for being top-down with little input from children and young people themselves (Wolf et al., 2004; Bergan, 2017).

3. The policy change

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child (UN CRC 1989, Article 12.1)

The changes described earlier meant that Norway began the 2000s with a clear policy commitment to children's rights, including to information and to participation in decisions on their systems and services. The view was that *Children should be involved not only because they have the right to be involved, but also because decisions are better made on their behalf if they had the chance to voice their opinions. Even though children have the right to participate, we must also remember that most decisions made are adult's responsibility* (Lindboe and Hjermann, 2013:1). While there continue to be gaps in implementation of this intention, there has been a shift in policy, law and practice post 2000 to include children's voice on their conditions and their experience of services. **This section outlines these reforms, while the next section describes how they came about.**

In the late 1990s duties to integrate children's views were included in the 1998 [Education Act](#), which provides for student councils and school environment committees; and in the 1999 [Patients' Rights Act](#), and a later 2018 amendment requiring that every child above seven years and younger children who are able to form their own opinions be given the right to be heard and have their views given due weight according to age and maturity on their care (Norway Govt, 2015). Children are now legally competent in the health system at 16 years of age, even though the general age of maturity is 18 years. Over the 2000s, various policy and legal reforms expanded this duty to give children an opportunity to express their views and to participate in plans and decisions.

Universal access to early child education and care (ECEC) is supported through publicly funded municipal grants to both private and public kindergartens, with a regulated maximum fee to facilitate access in low income families (NMER, 2015; Engel et al., 2015; Bungum and Kvande, 2013). The 2005 [Kindergarten Act](#) introduced children's right to participate in and to express their views on the day-to-day activities of these ECEC facilities (*barnehage*). A parents' council and a coordinating committee provide forums for parent/guardian and staff dialogue on the curriculum and annual plans for ECEC activities. The 2005 law required that children be given the opportunity to actively participate in this and in assessing ECEC activities. In 2006 a Framework Plan operationalised these legal rights, encouraged approaches that would enable both self-determination and consideration of other people and that would build a sense of belonging and community (Taguma et al., 2013; Engel et al., 2015; NMER, 2006; Smith 2015). In 2007 a National Strategy was prepared to recruit staff and raise their competencies to facilitate these approaches (Alvestad, 2009; NMER, 2015).

Following the 1999 *Patient Rights Act* and its 2018 amendment, children have a voice on their treatment in line with their age and individual abilities. As the child matures, parents are expected to listen to what the child has to say before giving consent for them and children can generally consent to medical treatment from the age of 16 years. From 2012, children have been viewed as having the capacity to understand and act in legal matters on their health services and their health (Norway Govt, 2016). In municipalities, youth health services with general practitioner, advice and counselling were established for young people up to 20 years, whether in school or not (Hansen et al., 2018).

The [Planning and Building Act](#) (amended in 2008), obliges municipalities to give children and young people the opportunity to participate in all planning processes. The 2015 [Child Welfare Act](#) and a later amendment provide that all children who are able to form their own opinions, regardless of age, have the right to information and participation and an opportunity to input to decisions concerning them, across all the processes covered by the Act (Norway Govt, 2015d). There are currently hearings to remove age limitations in how this is applied in line with the UN CRC, following a policy decision that children should have the same rights at all ages in law, with the variation by age only in how the right is applied. There is a current debate on whether parents are given the information that children provide to the welfare system, if the child indicates that they face a risk from doing so. This challenges the norms some families have of parental rights over children.

These various legal developments were reflected and consolidated in Norway's 2014 *Constitution*. In Article 104 it states that children have the right to protection of their personal integrity, to respect for their human dignity; to be heard in questions that concern them, and that due weight be given to their views in accordance with their age and development. In decisions affecting children, the best interests of the child is identified to be a fundamental consideration. The state has a duty to create conditions that facilitate the child's development, including ensuring that the child is provided with the necessary economic, social and health security, preferably within their own family (Norway Govt, 2014). Children are independent holders of rights and due weight must be attached to their views according to their age and development (Norway Govt, 2014; 2015).

Given the legal reforms made, there is a focus on how far these legal rights have been implemented in practice. Even before the 2000s, Norway was the first country to establish an independent human rights institution for children, the [Ombudsman for Children in Norway](#) (OCN). It was established in 1981, with the Ombudsman themselves appointed by the King in Cabinet and staff in the OCN appointed by the Ombudsman. The OCN is administratively under the Ministry of Children and Families. It has a mandate to protect children's interests and speak on their behalf, including in law and policy reform (OCN, 2017; Bergan, 2017). Over the 2000s, the OCN has implemented this role through convening forums; engaging in law reform and with media; investigating the activities of public and private institutions involved with children and acting as an institutional watchdog. As further described in later sections, the OCN has integrated increasing levels of children's direct voice in these processes, for them to articulate their experiences, recommendations and perspectives, and has communicated this information to decision-makers (Norway Govt, 2016; OCN, 2019). This work has informed the attitudes of policy and social actors and informed further policy change.

Several other institutional practices have demonstrated the policy change: [The Change Factory](#), a non-state organisation, brought evidence from children directly into municipal and parliamentary processes. Municipalities introduced programs in schools, kindergartens and child welfare services to listen to children's experience of these services. Municipalities set up or expanded youth councils in county councils, the unit of subnational government, and/or youth advisory boards (Fauske, 2009; Vestby, 2003). By 2017, eighteen of the nineteen counties nationwide had established these mechanisms and they are now mandatory in law. They are constituted by youth 12-17 years old, with an average of nine members in counties and 26 members in municipalities and slightly more female than male youth involved. Members are recruited through direct elections in schools or at local youth clubs (Bergan, 2017). They have a say in issues that directly affect them, including leisure services, public transport, schooling and education. While they can voice opinion their views are not binding in decision-making.

As further advances, after OCN and political party advocacy, the voting age was lowered to 16 years in the 2011 and 2015 elections in 20 municipalities as a pilot. This increased the involvement of young people in electoral processes and political issues and was seen to enhance politicians' prioritizing of youth issues (LNU, 2017; Lindboe and Hjermand, 2013). While found to be successful, debate within political parties and society on the change meant that the pilots were not repeated in 2019 (Nordic Council of Ministers, 2017).

Additional measures were taken to support these various practices in low income and indigenous communities. Family counselling offices introduced courses in 2002 - termed 'What about us?' - to support parents of children with disabilities. The 2005 *Kindergarten Act* gives children with disabilities the right to priority admission to a kindergarten. From 2015, children aged 3-5 years in low-income families have a right to 20 hours of free kindergarten per week (Norway Govt, 2015; Hansen et al., 2018). Pilot outreach programs were implemented in municipalities (Gamle Oslo, Bergen and Drammen) where many minority-language children live to support uptake (NMC, 2014). Municipalities in indigenous Sámi districts have a duty to ensure that Sámi children use their language and culture in kindergartens, while municipalities in other areas are responsible for measures to facilitate language and culture for Sámi children (NMER, 2006; Smith 2015).

These key reforms and some of the events leading to them are outlined in the timeline overleaf, while the actors processes involved in the changes are discussed in later sections.

Timeline of the processes building to strengthening child participation and voice in policies

Year	Policy/ law/ program
1980s and 1990s	1981: Ombudsman for Children established; 1983: Civil society coalition formed for advocacy for a Child Rights Convention; 1991: Norway ratified the UN Convention on the Rights of the Child; 1993: <i>Child Welfare Act</i> passed; 1994: The Forum for Barnekonvenjonen (FFB) formed; 1998: <i>The Education Act</i> passed; 1999: the Human Rights Act , <i>Patient Rights Act</i> enacted.
2000s	FBB hold regular dialogue meetings of members, ministries, political and administrative actors and youth to raise children's issues in the policy agenda; LNU annual seminars, with youth, researchers and policy makers
2001	Children and young people produce Hello - is anyone there? on experiences of vulnerable children distributed at a 2002 UN Special Session on Children.
2003	The UN CRC enacted in Section 3 of <i>Norway's Human Rights Act</i> . Measures are implemented to widen access to kindergartens through public grants and control of fees. White paper discussion and changes to the financial and legal framework for ECEC consolidated in a 2003 Kindergarten Agreement (<i>Barnehageforliket</i>) 2003-2007: Numerous white papers produced for parliament to draw input on child participation in services and areas of child service reform
2005	The 2005 <i>Kindergarten Act</i> includes children's right to participate, to express their views on the day-to-day activities, planning and assessment of the ECEC. It gives children with disabilities the right to priority for admission to a kindergarten.
2006	Framework Plan to operationalize rights to children's voice in the 2005 <i>Kindergarten Act</i>
2007	National Strategy for recruiting and raising staff competencies for child voice in ECEC. <i>Søvig Report</i> produced on whether Norwegian law satisfies the UN CRC.
2008	The <i>Planning and Building Act</i> amendment obliges municipalities to give children and young people the opportunity to participate in all planning processes. A youth research section at the Norwegian Social Research (NOVA) institute presents results on youth views on growing up in Norway as part of Norway's report for the UN CRC.
2010	Government appoints a National Parents' Committee for Early Childhood Education and Care (<i>Foreldreutvalget for barnehager - FUB</i>) to ensure that parents' voices are heard in relation to ECEC policy, with local parents' advisory boards at municipal level. Pilot National Youth Assembly held. 2010-2017- various inquiries held and reported by the OCN involving children as 'expert' voice
2011	Norway parliament, the Storting's Human Rights Commission reports dissatisfaction with the extent of child rights protections in the Constitution and in law. Pilot in 20 municipal elections of a reform to lower the voting age to 16.
2012	Children are given the right to act as a party in health service cases and express their views in all matters regarding their own health.
2014	Amendments to Norway's <i>Constitution</i> state in Section 104 that all children have a right to be heard in questions that concern them, and that due weight must be attached to their views according to their age and development.
2015	<i>Child Welfare Act</i> no126 amended to strengthen children's participation rights Repeat of pilot in 20 municipal elections of a reform to lower the voting age to 16.

Timeline of the processes building to strengthening child participation and voice in policies, continued

Year	Policy/ law/ program
2017	18 of the 19 counties nationwide had established consultative youth councils. “Kidz have rights!” report produced by children with facilitation from institutions in the the Forum for the CRC in cooperation with the Ombudsman as a shadow report from children and their civil society organisations on the UN CRC. Ombudsman report involving children presented at the High level meeting on the prevention of violence against children

Sources: Vestby, 2003; NMER, 2006; Sandbæk and Einarsson, 2008; Fauske, 2009; Alvestad, 2009; Lundy et al., 2012; 2013; Engel et al., 2015; Bungum and Kvande, 2013; Huang, 2013; LNU 2014; NMC, 2014; NMER, 2015; Smith 2015; Norway Govt, 2006; 2014; 2015; 2016; Bergan, 2017; The Jebb Committee, 2017; WHO, 2017; Hansen et al., 2018; OCN, 2017, 2019; European Commission, 2019

There are challenges to assessing the impact of these policy changes, given difficulties with measuring and attributing change to participation in complex legal and social systems. However, there is some evidence of the effect of the changes.

Uptake of ECEC has expanded to 90% of children between the ages of one and five in 2013 (NMER, 2015). State monitoring by the Norwegian board of Health Supervision (*Helsetilsynet*) reports that services are increasingly fulfilling the rights to participation in practice, with an organization called the ‘Giant Leap’ (*Sjumilssteget*) tracking this at municipal level in relation to the CRC provisions.

There have been qualitative reports from children, communities and services of positive effects of the changes. While challenges remain in children’s influence on policy, there is report of a growing understanding, including in parents, of the value of listening to children’s views, experience and of taking their inputs into account in decision-making (Tjelflaat and Lurie 2010; EU et al., 2007).

There is still a gap between policy intentions and their full implementation, in part due to the competencies of personnel in municipalities and services to facilitate it (Tjelflaat and Lurie 2010; EU et al., 2007). [Save the Children](#) Norway is now evaluating the causes of such gaps for ongoing work and advocacy.



Norwegian children at an aquaculture centre, Flickr, 2008

4. The story of the change

4.1 Raising the profile of children's role in and contribution to policy

As noted earlier, civil society had been organising since the 1980s around children's rights (Smith, 2015). In 1994, a forum of different organisations for children, the Forum for Barnekonvenjonen (FFB) combined over fifty organisations, with Save the Children Norway as secretariat, to share experience and promote understanding of work on children's rights (Hoffman, 2008; Smith, 2015).

This section explores how different actors, processes and evidence post 2000 raised public and policy attention to giving children a voice in the decisions affecting them.

In the 2000s, the FFB convened regular dialogue meetings involving young people with state, political and administrative actors to raise policy issues affecting children's and promote responses to these issues, including by incorporating the UN CRC into the 2003 *Human Rights Act*. The meetings raised various areas of child wellbeing, including violence and sexual abuse; bullying; poverty and mental and emotional health (Smith, 2015). Since then, young people's direct voice has grown in such debates and engagement, as a form of active citizenship.

The law provides for children and youth to participate in their own organisations, to raise their social conditions and views and to build social networks, as a part of inclusive communities (LNU, 2017; 2018). The [Norwegian Children and Youth Council](#) (LNU), an umbrella organisation formed 40 years ago has over a hundred organizational members that have child and youth members and over 450 000 individual members. The LNU includes organisations that work with children and youth as observers. It engages in advocacy, grant giving and capacity building on issues that are prioritised by members, such as young people's political participation, the voting age, involvement in youth councils, living standards, youth rights and the role of volunteerism in youth work.

Child and youth organizations of a certain size can receive support from government for national work, some receive grants from LNU, while some municipalities offer space for youth processes. Some LNU grants involve children and adolescents in their design and management (Bergan, 2017; LNU 2015). Nevertheless, child and youth organisations face challenges in raising their members' issues, in accessing sustainable funding and premises and in managing bureaucratic demands (LNU, 2018).

The LNU uses a mix of direct lobbying, engagement in policy processes, reporting of evidence and audit of practice to raise attention to youth participation, cooperating with a Network of Youth Researchers and with the Ministry of Children, Equality and Social Inclusion. It brings evidence, proposals and direct youth voice into annual seminars with youth policy makers, organisations, workers, researchers (Huang, 2013; LNU 2014).

LNU has also organized an annual children and youth parliament and nine provincial youth councils (in Troms, Nordland, Nord-Trøndlag, Hordaland, Vest-agder, Vestfold, Ostfold, Akershus and Oslo) for children to voice their concerns. For example, the [2008 Children's and Youth Parliament](#) discussed and prepared resolutions on children's rights to security and respect for their integrity and personal boundaries, for youth inclusion in peace processes and for improved support of child and youth organizations (LNU, 2014).

Other forms of civil society networking have added further direct youth voice on their issues. The School Student Union of Norway (SSUN), a [Norwegian student rights](#) organization founded in 1959, organises middle and high school students from about 400 member schools (SSUN, 2019). The [Norwegian Student Organization](#) (NSO) organizes students in higher education. The NSO has profiled students' academic, social and economic rights in higher education, through dialogue with state officials and parliament and in public boards and national councils relating to education. The municipal youth councils have enabled youth to raise issues with local authorities, although with some variation in this.

Some are reported to meet regularly and to follow issues over time, while others only meet and share information after specific events. Some young people receive training for this role and others not. This, together with the representativeness of the election processes for the councils and the extent to which the different municipalities themselves champion children's participation affects youth voice and influence in these councils (Jebb Committee, 2017).

While children's rights and issues have been given greater attention, there has been increasing focus on including children's direct voice and evidence on those issues. For example, in the preparations for the 2002 UN Special Session on Children, a hundred children and young people collated their experiences of the situation of children in vulnerable situations, including children of asylum seekers and refugees, children with disabilities and child victims of sexual abuse, amongst others. They produced a book *Hello - is anyone there?* Capturing the findings, that was distributed at a side event at the UN Special Session on Children (Norway Govt, 2006).

A youth research section at the public [Norwegian Social Research](#) (NOVA) institute conducts research on youth issues and edits a journal of youth research in Norway ([Tidsskrift for ungdomsforskning](#)). In 2008, as a part of Norway's fourth report on progress in implementing the UN CRC, NOVA presented results on youth's views on growing up in Norway (Sandbæk and Einarsson, 2008). The CRC reporting process has provided a 'safe space' for children to directly raise their concerns and a vehicle for raising policy attention on children's issues and proposals (Lundy et al., 2013).

The OCN has similarly provided a safe space to profile children's voice, especially on sensitive issues such as children's experience of the police; of sexual violence; of having parents in prison and of being members of refugee families. In 2017, a report, *Kidz have rights!* was produced by children with facilitation from the Forum for the CRC, supported by Press Save the Children Youth, LNU and a working group of NGOs in the Forum and in cooperation with the OCN. The report was produced as a shadow CRC report from children and their civil society organisations. The editorial committee, termed the 'Jebb Committee' consisted of seven youths 13 to 17 years old elected from an open call to represent a wide range of young voices from all over the country, assisted by a working group of youth civil society and NGOs in the FBB. The report drew on testimonies from about 480 children and youth and from surveys of school students and children on their experience, the rights they prioritised and their recommendations to the Prime Minister to improve their lives (The Jebb Committee, 2017).

In 2008, the [Change Factory](#), a non-state organization, launched a knowledge center to bring the knowledge of children and young people into policy dialogue. It has since held dialogue with 1 200 children in the child welfare service, 600 children in mental health care, 5 000 school students and over 300 children who have experienced violence, to gather and present their experiences of their services and proposals for change. It uses a [Participatory Learning and Action](#) approach, working with children in spaces they perceive to be safe. The knowledge and advice of the children are summarized and published in booklets, magazines and films - without analysis or comments from adults - and presented to councils, politicians, authorities, professionals and education authorities. A network of diverse professionals are invited to quality assure, provide input and share inspiration. An online Knowledge Center opened in 2017 systematizes, publishes and disseminates the findings of and advice from these surveys (The Change Factory, 2019).

Page from 'Kids Have rights'

We are proud to present the final result of "Kidz have rights!" - a report we hope will be an important contribution in the reporting process of Norway to the UN Committee of the Rights of the Child. We also hope this is a report that will encourage children to learn more about their own rights. We hope the content will be read thoroughly by decision makers and other important stakeholders.

We will do our best to keep this project running and make sure the report give knowledge to children, insight to adults and a good basis for child friendly policies in the years to come.

We would like to thank all contributors for making this report a reality!



Source: [The Jebb Committee](#), 2017:70

Through these processes children, especially those in more vulnerable situations, have exposed their realities and made their experiences of child psychiatry institutions, the child care system, hospital care, municipal and other processes more visible. This has profiled previously hidden realities, particularly of the insecurity and lack of love and trust that children faced in the child care system and their lack of confidence in the system, especially when interacting with professionals explicitly trained to not become emotionally involved with them. This evidence highlighted deficits not just in children's rights, but has also provoked new understanding amongst the personnel working in the care system.

Beyond these institutional processes for raising attention to children's voice, there is a perception that social attitudes changed after the July 2011 terror attack in Norway including at a Workers' Youth League (AUF) summer camp, in which 77 people were killed (Nordic Council of Ministers, 2017; LNU, 2017). The public responded with a demand for deepening democracy and openness, including paying greater attention to young people's views. Amongst youth there was equally a growth in political participation that was sustained over the following years, albeit lower in young males and immigrant youth (Nordic Council of Ministers, 2017). The debate over the right to vote was reported to evoke a political curiosity amongst the young people and an understanding of how politics influences their lives (Lindboe and Hjermann, 2013). In 2011, the *Storting's* Human Rights Commission also expressed dissatisfaction with gaps in child rights protections in the Constitution. In the 2014 review of the Constitution, the participation of children and young people was prioritised in the reform (Lundy et al., 2012; 2013).

Children's parade on Constitution Day



Source: R Thattai, undated, creative commons

While the effect of any individual initiative outlined in this section is difficult to trace, combined the different initiatives contributed to changing the discourse on and giving greater weight to children's participation in Norwegian society, including through the legal and institutional reforms discussed in the next section.

The work showed the contribution children can themselves make to policy and practice, in turn changing perceptions of children as rights holders (Lundy et al., 2012). While children were already formally seen to be individuals in their own right, the evidence and processes involving children helped to put flesh on this understanding and to point to deficits in how it was being realized. The terror attack of 2011 may also have been a wake-up call and recent student demonstrations and strikes on climate change further open opportunities for seeing children differently in their concerns on policy matters that affect them. This is, however, perceived to be a work in progress. The dominant perception is that youth have voice, but adults decide. Youth voice and ideas are seen to be more likely to be listened to when they agree with adult views.

4.2 Developing policy options for strengthening children's voice and rights

The advocacy, processes and evidence from children raised above fed into discussion and innovation in the 2000s on options and approaches for children's voice, while recognizing that this also required a shift in mindset and work cultures of those involved in formulating and implementing these options. This section outlines the actors and processes that informed these policy options.

Relatively well-established policy and legal reform processes contributed in part to the options designed for changes in the 2000s, with expert groups, stakeholder consultations and white papers used as measures to draw input. The reform of the law on kindergartens was initiated, for example, with a white paper presented by government raising how to deliver on municipalities' duty to ensure public financing and universal accessible provision of private and public *barnehager*, to support equality and to enable women to work. The white paper generated submissions and a parliamentary debate that led to a broad agreement on changes to the financial and legal framework on ECEC, consolidated in the 2003 Kindergarten Agreement (*Barnehageforliket*) (NMER, 2015).

In 2004, a government expert group consisting of researchers and various partners in ECEC reviewed and proposed the legal reforms that led to the 2005 *Kindergarten Act* (NMER, 2015). This expert group also prepared a draft *Framework Plan for the Content and Tasks of Kindergartens* to accompany the law. Over the subsequent years various White Papers and reports were published relating to ECEC policy, including in 2006–2007 on the role of and measures in ECEC for reducing social inequalities in society and in 2008–2009 on ensuring equity and quality in *barnehager* and on measures for children to participate actively in a safe and inclusive *barnehage* environment. A public commission (Østberg-utvalget) in 2008 explored how to ensure ECEC for minority language children while a White Paper in 2012–2013 proposed forty initiatives for improved quality in ECEC (NOU, 2010; NMER, 2015). These processes increasingly involved parents in setting options for children's participation, but not necessarily children themselves. For example, a 2006 expert group drew on public consultation among parents, educators, researchers, ministries, and other institutions, but not children, to prepare a 2006 Framework Plan for ECEC (NMER, 2015). In 2010, a National Parents' Committee for ECEC (*Foreldreutvalget for barnehager - FUB*) and local parents' advisory boards at municipal level brought parent voice to service planning, but did not involve children (NMER, 2015).

However, children's voice is integrated in other ways. Schools are involving children in suggestions on how to create a 'safe and warm' system for children. In Oslo, school-children 13-14 years of age are asked to suggest ways of building children's sense of being secure and cared for at school. Their suggestions are taken to head-teachers and combined with evidence from research and adult inputs to inform school plans. In the care system, evidence from the Change Factory has led some child protection services to employ youth as peer advisors, and motivated research on how to improve relationships with carers and the responsiveness of the care system to children's concerns.

Parliament has generated a demand for policy options in other areas. It requested government to provide a strategy and action plan to address violence against children, taken forward again through a white paper with submissions to the *Storting* in 2013, followed by a 2014-2017 action plan that addressed the role of teachers, police and other key actors (Norway Govt, 2016; UNHRC, 2014). The plan drew on existing assets, including: family counseling services working with health and child welfare services and other agencies to help abused children through discussion groups, conversation-based therapy and treatment; and 'Children's Houses' under the police for those under 16 years of age to provide a one-stop focal point for cooperation between agencies in violence and abuse cases (UNHRC, 2014). In cases concerning sexual abuse by relatives, the upper age limit is 18 years. Websites frequented by young people were linked to a simple-to-use notification system and a phone 'tip line' for youth to report to material or unlawful behaviour (such as "grooming") to the police (UNHRC, 2014). In a program by the immigration authorities with related ministries, (termed from [A til Å in the asylum chain](#)) there are efforts to include the voice of child asylum seekers on practices at every stage of the asylum process.



Å gi tilpasset informasjon til asylsøkere under 18 år vil skape mer trygghet og forutsigbarhet.

[Comte Bureau website, 2019](#)

These various policy options have provoked attention to the competencies that service professionals have to deliver on them. Teachers, for example, are trained to help children absorb new information more than to share their own knowledge and experience. In taking forward options to respond to violence against children, county governors have organised courses for kindergarten, child welfare, school and healthcare staff on talking to children about violence and sexual abuse.

A *Bring up your concerns* project aimed at staff in schools, day care centres and public health clinics aimed to strengthen their skill at raising concerns with parents at the earliest possible stage, as well as to encourage better interaction between professionals (NMC, 2013). They also imply improved co-ordination across agencies, linking state services with those provided by municipalities and with private and professional associations (Bergan, 2017; NMER, 2015).

An annual [publication on actions and budget provisions in children and youth policy](#) aims to promote such cross-ministerial coordination on the needs and rights of children and young people and on agreed areas of focus and investment for children and young people (EACEA, 2019). This is backed by government commissioned guidance materials on areas such as how to involve children's participation, how to include children in decisions and how to facilitate input from children from different cultural and language groups, and government grants for training and stimulation of agreed practices such as multilingualism in education (Taguma et al., 2013).

These investments, and particularly those in ECEC, are understood to be important for Norway's economic future, taking into account neuroscience and other research. While they have led to a range of activities starting with early child development, there is also debate on whether they have overemphasized skills building over play. There is now a 'swing back' to social recognition of the value of open play, in part in response to kindergarten children's own views of the need for this and of the importance of relations that demonstrate that they are loved.

This debate points to a question of how far children's voice was heard in the formal processes used to develop policy options. Many of these white paper, expert group and consultative formal processes, while they facilitated important innovations in policy and in institutional processes affecting child participation, involved adult stakeholders in their design, but not children. They used research evidence on children's concerns, but much of this was service focused and *on*, rather than *with* children.

Hence, for example, a 2017 report, *Failure and Betrayal*, in presenting an evaluation of service responses to serious cases of violence, sexual abuse and neglect of children and domestic violence in Sami communities provided evidence from police officers, social and health personnel on the barriers they faced, but not the views of children (NHRI, 2017).

Children and youth themselves have noted this deficit in their own direct participation in policy development. For example, the 2017 Jebb Committee report raised earlier noted that children in the care of the Child Welfare Services were not being heard and not receiving the information they need to participate in decisions on their services. *In the Child Welfare Services I felt that I had to let others make decisions about my future while I stood there powerless. That I had to go to extremes to be heard, misbehave to be seen...* (Jebb Committee, 2017:19).

They reported difficulties with voicing their opinions to employees in these services and that they are not listened to. *Case workers talk over your head. I get talked about in the third person when I am present, and I am often not included in communication that is about me* (Jebb Committee, 2017:19).

There are, however, examples of where children and youth have made direct input to policy decisions. As noted earlier, the Change Factory, has facilitated direct input from children on the design of their services and systems, while also providing support services for children.

Working with local municipal leaders, they have linked informal processes that are more accessible to young children with formal policy processes. Children and youth have also organized under the umbrella of the LNU to make direct input to hearings on the content of the 2016 *Child Welfare Act*. A current process of policy development on youth culture is more actively involving children from pre-school onwards in various ways to draw their ideas on what should be included, linking findings of informal visual, play and other approaches to subsequent formal White papers and hearings.

As noted earlier, the municipalities and youth councils have offered more formal opportunities for participation and influence in planning, although not consistently across the country, more so in some sectors and generally involving youth from more secure conditions. Civil society organisations in the LNU have also brought more direct voice into various mechanisms and boards. The level of inclusion in these processes depends in part on the clarity of guidelines and terms of reference for work with young people; the contact with and support from the municipal administration and politicians; and the level of dedicated resources and of information that is made available in accessible forms for children and youth (Norway Govt, 2019). [Some municipal initiatives](#) have provided useful experience for wider national practice, in organizing youth clubs or ensuring and public places address children's needs.

For example, Vefsn municipality holds focus days for young people to participate in planning and service development, for young people to give their views on the municipality and the services offered to them, supported by youth facilitators. In 2012 in Oslo, about two thousand young people participated in an initiative to improve lighting and public leisure facilities for the community (Groruddalen 2015). Young people have organized and participated in public meetings and workshops on the merging of municipalities, calling for such merges to be designed in ways that better support their involvement (Distriktssenteret 2019).

The OCN has also played a significant role in facilitating children's inputs and as a bridge between children and formal processes on policy options, recognising the value their input brings (OCN, 2018a). In a report on child victims of incest, the OCN notes *Children are experts at being children, and children who have undergone unusual experiences are experts in precisely those experiences* (OCN, 2010:2). The OCN uses facilitated collective discussions to protect children's anonymity, in a safe environment with skilled facilitators and an interpreter if needed.

Children between 9 and 17 years are included as 'experts' in one-off expert meetings and in expert groups of 3-15 children that meet about four to six times over time. The facilitator ensures that the children understand the intention, the confidentiality of their responses and that their participation is voluntary (Lindboe and Hjermand 2013). While parental approval is sought, adults do not participate. The minutes are reviewed by the children who are free to ask anything 'as long as it is done in a nice way' (Lindboe and Hjermand 2013:231). The children's proposals are reported and shared in a meeting with relevant authorities, the children and the OCN (Lindboe and Hjermand, 2013).

There are many examples of such inputs: A report on service improvements on violence and sexual abuse, *Everyone knows someone who has experienced it* tabled by the OCN with parliament was, for example, based on conversations with 200 youths about their experiences of sexual abuse (OCN 2018a; 2018b; NIM, 2018). A 2009 report on incest from an expert group of eight 15-18 year old female victims of incest discussed themes that the girls identified and drew advice from the girls on more child-friendly information, investigation and legal process (OCN, 2010). The OCN has also monitored and communicated evidence to public and political actors on progress in achievement of the child's right to be heard, and on the capacities and changes needed to address deficits in this (OCN, 2017).

These institutions provide bridges for children to enter formal processes and to include children's voice and ideas more directly in policy development. There are challenges in making such direct input, particularly for children facing various forms of economic, social, cultural or language disadvantage, including children of refugees, second generation immigrants, the LGBTQ community, Sami community and those with physical and learning disabilities (Bergan, 2017).

There are also various efforts to overcome this, such as the state grants and additional measures noted earlier, special government programs to support organisations that facilitate children's input and music, sports and culture interventions and competitions like 'Got talent' that provide an opportunity to raise their visibility (NMEC and OECD, 2015; Taguma et al., 2013). The child rights [ombudspersons from the three Nordic countries](#) with Sami populations, Norway, Finland and Sweden, have co-operated in strategies for inclusion and for enabling the right to participation of Sami children (EU et al., 2007).

A range of formal processes have thus been used to design policy options to strengthen children's access to, participation and voice in services, many without direct children's voice. Some formal and informal processes have, however, brought more direct voice using approaches that are more accessible to children. The next section explores the political actors and processes that have given support to institutionalising such measures for children's voice.

4.3 Engaging and building political support for children's voice in policy

Democratic participation is a long-held value in Norway, and to some extent, the legal reforms and measures to strengthen children's voice build upon this. Norwegian society believes in non-hierarchical decision-making and over time this has been reflected in public attitudes toward children as active participants in matters affecting them and on the value of their being loved and supported (Save the Children Norway, 2018).

Child development is seen as a social and an economic investment and children's participation as a right and contributor to the improved performance of systems. Youth have played a direct role in this: the youth wings of political parties in Norway are strong. Youth participation in parties, in trade unions and civil society and in political processes and demonstrations has increased and more young people are writing in newspapers (LNU, 2017).

Taking these values forward with the policy changes they imply calls for political confidence in the electoral support for this (Save the Children Norway, 2018). The areas of policy change and investment described earlier appear to be those where political confidence exists of public support, such as in the 2003 Kindergarten Agreement (NMER, 2015).

The Parliament (the *Storting*) has played a key role in organizing this political response. Its involvement and that of government-appointed committees in the consultative processes described earlier appear to have built political support for the reforms described. While only 20 out of 169 *Storting* representatives for 2017-2021 were under 30 years of age when elected, there is active political engagement from across the parties on issues affecting youth. Standing committees in the parliament review and make comments on the various White Papers referred to earlier. They have had a role in priority setting, including on investments, but also in making clear the political importance of the executive and state turning these intentions into practice.

Hence, for example, the *Storting* unanimously commented on the 2008/9 White Paper on ECEC quality: *All children deserve good barnehage and a sound childhood environment with good opportunities for development...giving priority to children, education and research is one of the most important things we can do as a society. This is important to each citizen's opportunity to make the most of his or her abilities, to create a future for him/herself and to ensure that we as a society have the competence we will need in future* (NMER, 2015:46).

The processes used for policy advocacy and development, described earlier, have also facilitated cross party consensus on children's issues and support from the prime minister. Individual political actors in the parliament and in municipalities have advocated for parliamentarians to listen to children's experience is a source of evidence. The realities that children have shared with parliamentarians have sometimes been a 'wake-up call' and a shock. They have raised new concerns, such as the fact that children need love, given - and developed - in stable and healthy relations with trusted adults.

Lawmakers have recently motivated that the child protection law address this requirement for love, *as part of the field's response to the fact that many vulnerable children and adolescents have not been adequately taken care of, respected and listened to when they have been in contact with the child protection system* (Basberg Neumann, 2016:117)

While Norway has no regular formal consultation body at state executive or legislative level for children's direct voice, there is some scope for this, such as in their role in youth wings of parties noted earlier. As a pilot project, a 'Youth National Assembly' in 2010 with under-18 youth delegates from the various counties of Norway debated and gave input to the national assembly. Nevertheless a subsequent expert committee reporting on youth participation in 2011 recommended against such an arrangement, due to the complexity of state policy work and the need to first strengthen regional representative bodies for youth. It is thus no longer on the agenda ([Official Norwegian Report 2011:20](#); European Commission, 2019). In 2017, the LNU raised ten proposals to strengthen youth participation in political and policy in Norway. They proposed: giving 16-year-olds the right to vote in local elections; making local elections more accessible for youth with sms reminders; providing information and social support, training in democracy and citizenship in schools for citizenship to be understood as a practical skill; making youth councils independent and mandatory in all municipalities and giving youth sufficient information and expertise for participation (LNU, 2017).

The OCN processes indicated earlier have also played an important role in bringing children's voice into political processes: *One of the most important duties we perform is talking to the children and young people themselves about their experiences and relaying recommendations and perspectives to decision-makers* (OCN, 2019:2). The OCN expert meetings, consultations and collaboration with children described earlier has helped to raise children's voice in the political discourse (OCN, 2017; Musinguzi, 2017). Some of these reports have been brought to key conferences, events or political engagements, such as the high level meeting on the prevention of violence against children in 2017 that involved the Crown Prince of Norway (WHO, 2017). The OCN has advocated for still greater *direct* participation of children in political and legislative processes, in hearings and other decision-making forums, such as with easy-to-read versions of documents and alternative ways of responding to consultations that better accommodate children's input (OCN, 2017).

Various features have enabled the OCN to bring children's voice into political processes. As a non-elected office that is stable over time, with official links to state and political institutions, the office and the credibility of its processes and evidence has given it impact and support at political level. As an independent institution funded by a state budget, it is independent of other agendas. When constraints to its mandate were raised with parliament, the latter have provided support, noting the valuable knowledge and guidance the office brings to decision making (OCN, 2017; UNCRC, 2018). The OCN has its own legislation and authority with political and policy decision-makers and has used this to facilitate children's voice being heard in decision-making on policy. At the same time the office has also sought to deepen children's participation in OCN processes. In 2012, in an approach introduced by the OCN, a youth panel of ten children aged 12-17 years recruited from different youth organisations was involved in the recruitment and interviews for selection of the Ombudsman. The youth panel helped to decide the formal qualifications necessary to hold the position and participated in interviewing the candidates (Lindboe and Hjermand, 2013).

These approaches used by the OCN, by key non state actors such as the LNU, the Change Factory and Save the Children, by municipal and central political leaders and by youth themselves have both opened and taken advantage of policy spaces, such as parliamentary processes, for children to directly express their views to political and other decision makers. They reflect a progression over time from speaking *for* children to speaking *with* children.



Norwegian Sami youth delegates, UN, 2010

5. Summary of and learning on key drivers of the policy change

5.1 Summary of drivers and processes fostering policy change

Norway has had a longstanding rights-based, welfare approach to child wellbeing. By 2000 the country had a policy of children's participation in decisions that affect them as a right and a contribution to improved services. However, children still played a limited role in policy development.

Within civil society, organisations such as the LNU, diverse child and youth organisations, the Norwegian Student Organization, the Change Factory and Save the Children Norway played key roles post 2000 in raising the profile of children and youth experience and ideas. They implemented a range of informal, non-state participatory processes to engage children in safe spaces. Through meetings, surveys, production of reports authored by children and other media, they profiled children's experiences of services and systems and raised demands for more direct children's voice in policy, providing evidence of the negative consequences of not doing this for both children and services. Their work exposed previously hidden realities, such as the insecurity and lack of love and trust that vulnerable children faced in the child care system. The presence of the OCN and creative use of this office to provide a safe space for children to express their experience and views has also given profile to children's voice, especially on sensitive issues such as children's experience of the police; of sexual violence; of having parents in prison or of being in refugee families.

These different initiatives collectively contributed to raising the profile of and changing the discourse on children's participation, while highlighting deficits in how it was being realized. The terror attack of 2011 may have given further impetus to public attention to young people's views, as are the current youth strikes on climate change. This is, however, still a change in progress, with a dominant perception that youth have voice, but are not always listened to and that adults decide.

Norway's parliament, the *Storting*, played a role in formally taking up deficits in children's participation. The *Storting* prioritised the participation of children and young people in the 2014 review of the Constitution, and more specifically requested government to provide strategies for issues such as violence against children or early childhood education and care. Investments in children were perceived to be important for Norway's economic future, although there is some debate on whether they have overemphasized skills building over play. The design of the policy and legal reforms that followed took place in formal processes, with white papers, expert groups and stakeholder consultations. However, while many of the early formal policy development processes used evidence on children's concerns, they did not directly involve children themselves.

Here too, however, the civil society organisations noted earlier and the OCN supported and capacitated children and their organisations to provide evidence and to recommend improvements. They implemented their own processes, providing approaches that were more accessible for children and youth, using visual methods, play, youth surveys, 'expert meetings', workshops and other forms of collective discussion to generate findings that they then brought to state officials and formal policy processes. They provided a vehicle and capacity support for children to contribute directly to parliament, as well as in a range of service, youth council, public boards and other formal planning forums. They also took advantage of UN CRC reporting and international events to raise national and international policy attention on children's recommendations for improvements.

These non-state processes have been important sources of consistent support for child and youth to input to policy proposals. While the municipalities and youth councils have also provided opportunities for input in formal planning, they vary in the level of political and resource support for this.

Civil society and the OCN have thus played an important role as a 'bridge' for children between their own more accessible but often informal processes and the formal processes for policy development. The OCN in particular had leverage for this bridging role as both an independent state agency that had credibility with state and parliament and a safe, trusted space for children to express themselves.

The Parliament, its standing committees and individual political actors at national and municipal level, together with the consultative and policy engagement processes of civil society and the OCN all played a role in building cross party political support for policy reforms and support from the prime minister. Listening to children *directly* and the realities that children shared with parliamentarians provided a 'wake-up call' and sometimes a shock. It triggered support and raised new concerns, including on the need to support relationships of love and trust in families and child care services. The increased involvement of youth in political processes has also made them a more influential force, whether in youth wings of political parties, as contributors to newspaper stories or participants in demonstrations, trade unions or other organizations.

The raised profile of children's voice and realities, the contribution to policy options including by children and cross party political support for their adoption has led to a shift in both policy and practice in the two decades post 2000 towards greater inclusion in planning of children's voice on their conditions and their experience of services. This has been evident in law and practice relating to schools, kindergartens, health care services and in municipal planning. Legal developments in all these sectors were consolidated in Norway's 2014 Constitution, making children independent holders of rights with due weight to be attached to their views, in a way that reflects their age and development. Legal reforms have been accompanied by institutional changes, with investments in cross sectoral co-ordination, personnel skills and guidance materials to facilitate and respond to children's voice; setting up of youth councils; new service programs and processes to listen to children's experience and views; improved responsiveness of the care system and schools to children's concerns; inclusion of the voice of child asylum seekers on practices at every stage of the asylum process; piloting of a reduced voting age in municipal elections, and provision of additional support to children from low income and indigenous households for these services and processes.

5.2 Learning and insights on changing policy and practice

The summary describes the organisations, processes and approaches that increasingly brought children's voice into policy decisions in areas affecting their wellbeing, reflected in the changes described. The reflections from those involved in the policy changes on children's voice in Norway suggest some further insights and learning from the experience.

In raising and keeping the issue on the policy and political agenda, key informants noted that 'children take the temperature of the society'. While the role of youth and children in policy has been linked to the public perception of democracy and of children as individuals in their own right, there is also a growing understanding that children provide new and important insights on and contribute to improvements in the functioning of society. Children and youth organisations are thus very important for policy change. Things happen when adults are moved by pressure from young people, as for example is demonstrated in the work and advocacy of the Change Factory.

For the development and adoption of policy options, concrete evidence of the conditions and views of young people and accessible means for their voice to be heard directly has been important to inform policy decisions. This calls for safe spaces and participatory processes for children to speak and be listened to, with competencies to facilitate such voice and processes that do not objectify vulnerable children, but that recognize that they have knowledge, agency and voice and should be engaged on what to do. Participatory methods used can be shared across countries, but need to be done in a culturally sensitive way. The 'expert meeting' method used by the OCN has for example now also been used in Sweden and Ireland and is being shared more widely through UNICEF and through annual meetings of Ombudsmen for children in Europe.

Having children's rights to participate formalized in law is important. It provides a platform for doing other work, For example, the youth councils being voluntary and informal means that they may not be present or taken seriously. Advocacy to have them present in law and not a matter of benevolence has thus been important to establish these as meaningful and consistent channels. Gains can then be made by building the capacity of young people to take advantage of these formal rights.

In building political and public support and sustaining policy implementation, there is need for multiple ways of bringing leaders into direct contact with the systems that children experience and to listen to children in those systems for them to understand the realities that children face. Children are increasingly seeking to be heard, as for example in the school strike over all Europe, initiated by Greta Thunberg. Political and policy actors need to understand that the quality of their policies and systems depends on integrating children's input. Experiences of how this is done and the experience of formal measures, like youth parliaments or lowering the voting age, could be shared across countries. Informal mechanisms and networks have, however, been very useful in Norway and sometimes provide more accessible processes for children, or more direct links with key political actors. In the interactions, it is important not to rely too much on one party or political grouping and to build cross party support, as change can then be stalled. The interaction with political actors not only calls for strong, stable youth organisations in civil society, and networking and alliances across youth organisations to strengthen lobbies and influence. It also calls for institutional brokers who can help to bridge the informal and formal processes and facilitate children's entry into and voice in both.

While there has been new policy dialogue and strengthened practice post 2000, there is also recognition of continuing challenges and debates: Some communities fear of giving children greater voice and youth are often called immature, stupid, manipulated, or naïve. At the same time, OCN has advocated for still greater direct participation of children in political and legislative processes and better ways of accommodating this input. There is ongoing debate on lowering the voting age to 16 years and youth frustration that while they can voice opinions, their views are not binding in decision-making. Many children who face various forms of economic, social, cultural or language disadvantage still experience barriers to their participation, despite the measures taken.

However, there is also evidence of the effect of the changes to date, not only in uptake of services such as ECEC, but also in the change in social and institutional recognition of the value of youth and children's knowledge and ideas, in the widening perception of what services need to provide for child wellbeing and in the improved level to which services and systems are seeking to fulfil children's participation rights in practice. There is evident progress over time from speaking *for* children to speaking *with* children.



School strike for climate, Creative commons

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Endnotes

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- 2 See Loewenson and Masotya (2018) for information on the conceptual and analytic framework used.