

2. フランス

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1. 現行子ども保護システムの概要（法律、規程、手続き等）

（1）フランスの子ども保護システムの概要

現行のフランスの子ども保護制度は 2007 年の法律とその改正法である 2016 年法が基になっている。現行のフランスの子ども保護制度の大きな特徴は、法的保護と行政的保護の 2 方向による対応となっていること、また親の行為としての虐待・ネグレクトに注目するのではなく、「危険な状態にある子ども」および「リスクのある子ども」という保護を要する子どもの状況に対応するための制度となっていることである。この「危険な状態にある子ども」「リスクのある子ども」という言い回しはフランスに古くからある表現である。

また、フランスの地方自治の特徴も、近年の子ども保護システムに大きく関わっているといえる。フランスは中央政府（State）の元に、22 の地域圏（Regions）、101 の県（Départments）そして、36766 の基礎自治体（Communes）が置かれている。

福祉行政自体の地方分権化が 1983 年と 1986 年の改革により起こり、中央政府（State）から県（Départments）に福祉行政の権限が移行するが、法律自体は国全体に対する法律となっている。2007 年の法律によって、一般議会（general council）の議長（President）が県内の子ども保護施策に対する権限を持つこととなり、それぞれの県の情勢にあわせた施策を展開している。

（2）フランスの子ども保護システムに関する法律とその変遷

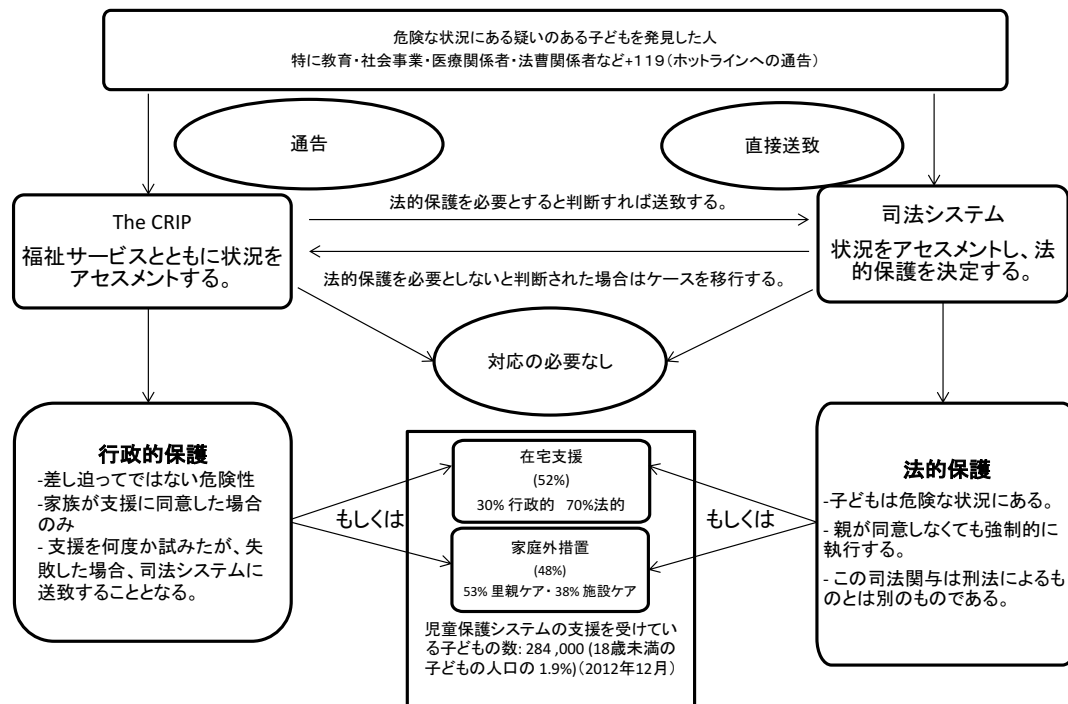
フランスの子ども保護制度の起源は 1889 年にさかのぼる。1889 年に出された「虐待された児童または精神的に遺棄された児童の保護に関する法律」はフランスで初めての児童保護に関する法律であった。

1936 年の「児童保護の誤った概念を排除するための法律」では、家庭内にソーシャルワーカーが入り子どもとその親に育成的援助を提供することが法定化された。1958 年の「危険な状態にある児童と青少年の保護に関するオルドナンス」によって、現行の法的保護と行政的保護の 2 つのシステムが設立された。以降しばらくの間、児童保護システムの対象の中心となったのは、親に対する育成的援助であり、家庭状況に改善が見られるまで、子どもが家庭外措置されるができるだけ早く家庭復帰をするよう尽力される。家族のつながりを重視するフランスでは、実親の親権を剥奪し、養子縁組を行う考え方は皆無に近く、家庭外措置はあくまでも短期のものとして捉えられている。2015 年に ONED により内閣に提出された報告書によると、フランス全土にて 284,000 人の子どもが子ども保護システムの下でサービスを受けており、これはフランスの全ての子どもの人口の 1.95%をしめる。うち、約半分が在宅支援を受けることとなり、半分が家庭外措置となっている。家庭外措置の割合が高いのは、親が効率よく支援を受けて状況が改善するまでの一時的子どもを預かる手段として捉えられており、家族支援の一環として位置づけられているためだと考えられる。措置されている間も親子間の交流は密に継続し、親の子どもに対する権限も持続する（司法的保護により制限されているケースを除く）。フランスでの親の子どもに対する

権限は尊重され、入所児の散髪をする場合でも、親の承諾を得るほどである。

司法的保護においては、在宅の70%、家庭外措置の88%が司法の関与の元での支援（法的保護）を受けている。予算編成や民間団体との連携状況、司法システムとの連携状況が異なるため、具体的な支援の展開も異なってくる。それぞれの地域の政治的思想や財政状況がその施策について特徴として現れるが、それが後にも触れる格差を生み出す原因ともなっている。

図1 フランスにおける児童保護システム/ 2007年以降



Flora Bolter氏によるONPEでの発表スライドを日本語訳(転載の承諾済)

(3) 現在の通告受理から支援への流れ

全国規模での通告ホットライン機関である SNATEM は 1989 年に設立された。現在は SNATED (2007 年に改称) と呼ばれるこの機関はフランス共和国全土からの「危険な状態にある子ども」に関する通告を受け付ける機関である。1997 年より 119 の 3 桁化が行なわれ、2003 年より他の警察や消防、救急のための緊急無料電話と同じ扱いとなっている。この SNATED は国と地方自治体である Département からの共同出資により設立・運営されている。パリ市内にある SNATED は、毎日約 2000 本の通告を 24 時間/365 日体制で受け付けている。スクリーニングは 2 段階になっており、派遣業者から派遣された 10 名の受付担当者がまずは電話を受け取り、児童保護サービスの対象となるケースに該当するかどうかの簡単な事前スクリーニングを行なう。いたずら電話、情報が明らかに不足しているケース、一般的な問い合わせのケースなどを除いた通告が次の段階の多職種の専門職（ソーシャルワーク、心理、法律の専門職）によるインテークチームに送られる。ここでのスクリーニングを経て、警察の協力を必要とする緊急対応を必要とするケースと県に送致するケースとに分別される。またインテークチームが直接、通告者に対してアドバイスを与える場合もある。県に送致されたケースの情報は CRIP と呼ばれる県内の児童保護ケ

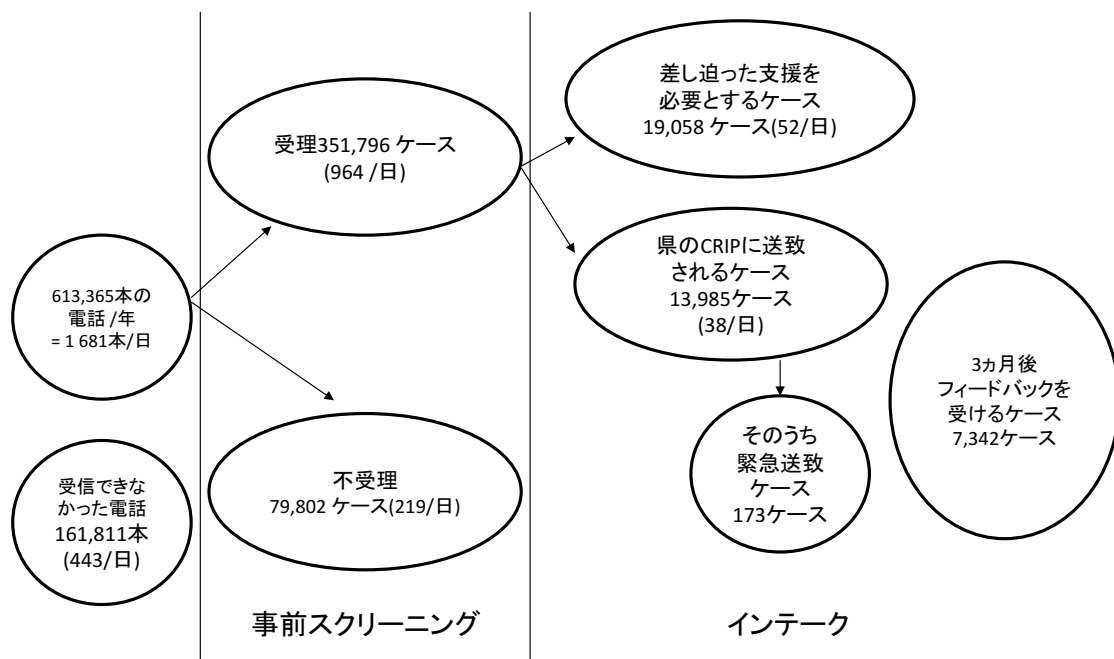
ースに関する情報を取り扱う部署に収集される。

過去の家族に関する情報と照会しながら、状況をソーシャルワーカー、保健師、保育士、心理などの多職種の専門職がアセスメントし、サービスプランが作成される。サービスプランにもとづいて、家族に対する支援が県下のASE (Aide Sociale à l'Enfance)を通じて実施されることとなる。また必要があると判断される場合には、法的な保護を求めて司法的保護システムにケースを送致することになる。もちろん、図1で示したように、県下のASEや司法機関に対して直接通告や関係機関からの情報提供がある場合もある。

基本的には、危険な状態にある子ども、および行政的保護では状況が改善しない、また支援が拒否されるケースについては司法的保護のケースとなる。司法的保護においては、子どものケースを専門とする判事である子ども判事 (children's judge) が検事の調査結果のもと、その支援を決定することとなる。司法的保護には在宅支援も家庭外措置も含まれる。基本的には同じ判事がケースを継続して担当し、その経過においても評価を行なうことになっている。

各県においては、それぞれ民間団体 (アソシオン) との協働の元、ASEを通じて支援が展開される。家庭外措置に関しては、施設養護と里親委託がほぼ半々の割合となっている。里親委託に関しては、年少児および特別なニーズがある子どもに対する措置先として考えられている。

図2 SNATES (国立ホットラインセンター) での通告の流れ (2014)



Flora Bolter氏によるONPEでの発表スライドを日本語訳(転載の承諾済)

(4) 子ども保護システムのデータ収集について

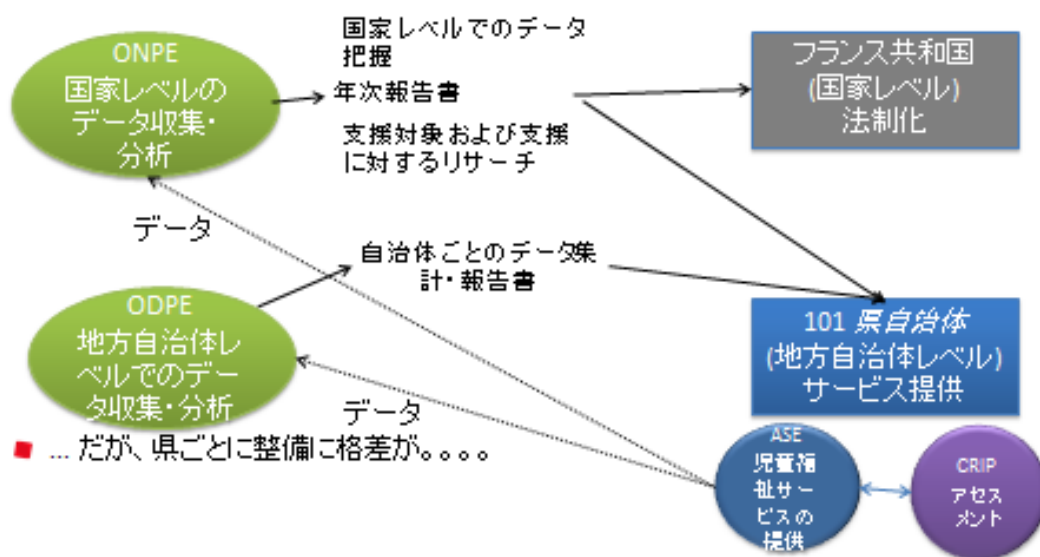
フランスの子ども保護システムにおいては、中央政府と県、そして福祉行政と司法の複数の主体により、複雑な構成となっているため、その実態を統計として把握することが困難である。ゆえに、2007年の法律により、そのデータ収集に関わる仕組みが中央政府と県

の間で整えられた。中央政府に置かれた国家レベルのデータ収集・分析の機関は ONED (Observatoire National de l'Enfance en Danger = National Observatory Children in Danger) と呼ばれ、同様に各県レベルに置かれたデータ収集機関である ODPE (Observatoire Départemental de Protection de l'Enfance = Department Observatory for Children Protection) を監督し、そこからデータを収集する役割を担っている。ONED は「危険下にいる子ども (children in danger)」だけでなく、「リスクのある子ども (children at risk)」も含めた子ども保護システム全体のデータ収集と分析も担っていることをその名称にも反映させるため、2016年に ONPE (Observatoire National de la Protection de l'Enfance) に改称された。

しかしながら、データ収集に関しては、「マルチリトメント」「危険 (Danger)」「リスク (risk)」などの言葉の定義が各県において統一されていない、県内のデータ収集に関して組織化が進んでいない、現場での抵抗がある、などの理由により、データ収集の成果は県ごとに格差がある。これらの課題については、その解決策が 2016 年の法改正に織り込まれている。子ども虐待という概念の元でのデータはほぼ存在しておらず、虐待の種別でのデータも全国規模のものは見つからない。その効果測定も含めた様々な分析・検証のために、これらのデータは不可欠であり、改善に向けた変革が早急に必要とされている状況である。

図3. 中央と地域自治体(県)の子ども保護システムに関するデータ収集システム

- 地域ごとの特色を把握するためのデータ分析を行なうために、現場レベルの実践者に対してデータ収集を法的に義務付けるシステムを構築。



Flora Bolter氏によるONPEでの発表スライドを日本語訳(転載の承諾済)

2. 現行子ども保護システムの発展サイクルの分析

—2007年から2016年の法改正を中心に

もともとフランスは、ナポレオン政策の時代から権利意識の強い国家である。家庭内に介入するためには裁判所を通じた法的な手続きが必要。権利意識が強く、親の子どもに対

する権利を制限し、家庭内に介入するためには法的な介入を持ってする必要があると考えられている。子どもの安全を確保するために司法介入を使った強制的な介入であっても、あくまでも公的な正義（Civil justice）を用いて親が不足している部分を補填するための支援であると考えられており、親に対して懲罰的な行為を施し敵対関係になるような要素があまりない。

また先にも述べたように、家庭に対する価値を重視しており、親を支援するために子どもを一時的に家庭外措置すると言う考えはあっても、長期間措置するという考えはない。支援はあくまでも家族を対象単位として行なわれ、親と国が協働することにより、国が親の不足を補填するという考え方に基づいている。また、子ども保護システムが介入することで、親権を喪失させ子どもを養子縁組させるという考え方もない。養子縁組は全て親の自発的な親権放棄によるものであり、放棄した後は母親の匿名性は親の同意がない限り実子に対しても保障されることとなっている。2007年の法律は現在のフランスの子ども保護システムを作る基礎となったものである。先にも述べたようにフランスの子ども保護施策は司法介入と行政的対応の2方向のシステムによる。また、実際のシステム運用に対しての行政部分については、Départments（県）が権限をもつようになっており、司法機関と協力しながら進めていく形となっている。司法対応と行政対応に対する判断区分は子どもの状態が「リスクのある状態」か「危険な状態」かによって判断され、「リスクのある状態」であれば行政対応、「危険な状態」であれば司法対応がなされることとなる。司法に関しては、子ども専門裁判官がその支援の方針について判断を下すことになる。この「リスクのある状態にある子ども（Children at risk）」および「危険な状態にある子ども（Children in danger）」という表現は、子ども虐待に特化して用いられる表現ではない。親の子どもに対する虐待以外のケースにおいてもこの表現が用いられ、「虐待」という親の行動ではなく、「子どもの状況」を焦点において支援の必要性を判断することが、フランスの子ども保護の考え方の特徴だと言えよう。

今回の法改正に至った経緯には、一人の8歳の女児の死亡ケースに対する人権オンブパーソンによる調査レポートが大きく関わっている。2009年8月、Marinaは生後まもなくから続いた両親からの身体的虐待とネグレクトにより死亡した。彼女に対する虐待には多くの関係者が長年にわたって気づいており、検察庁による調査も何度か行なわれていた。彼女の死亡事例に関しては、人権オンブズパーソンによって、子どもに対する大きな人権侵害として、その検証レポートが国会に提出され、システムに上上げた次の3つの領域に対するシステムの改善が提案されていた。これらの領域に関しては、現行のシステムができた2007年以降、実際の施行において指摘されてきた点でもあった。

- 1) 子どものウェルビーイングや安全をより確実に保障できるための改善
- 2) 社会的養護下にある子どもたちがよりよいケアを受けるための改善
- 3) 施策システム（国一県、他の関連領域と子ども保護領域）における改善

本レビューでは、この3点に絞って、最新の2016年の改正に至った背景と、そこから日本の子ども保護施策が学べる教訓について考察したい。

（1）子どものウェルビーイングや安全をより確実に保障できるための改善

2016年の改正法がもたらす変化の一つは、これまでどちらかというと親の支援に対して重点が置かれていた子ども保護に対する施策を、子どものウェルビーイングを重視する方

向に移行することである。具体的には、今までの子どもの状況を、「リスクがある状態」か「危険がある状態」つまり子どもの「安全」に対する基準で判断していたが、改正法では、子どもの「ニーズ」を満たすこと、また「親の養育責任」を果たすことに、現在の家族の状態がどれだけの困難を示しているかも司法介入か行政的対応の判断基準とすることとしている。つまり安全以外にも子どもに対するウェルビーイングについても強制的介入を行なうか否かの判断の基準とすることとした。特に低年齢児に関しては、定期的にウェルビーイングも含めた子ども自身に対するアセスメントを行なうことを法定化した。子ども自身のウェルビーイングに対する影響そして子どもの基礎的なニーズの状況についても、介入的対応を行なう際の判断基準として重視することが強調されたのである。

子どもの安全についても、これまでの親への支援に偏重していた部分を改め、安全確認および安全確保を強化することを念頭においた改革がなされた。面前 DV のケースにおいても、子どもを家庭外措置することを可能とした。また、被虐待児でないきょうだいに対しても、その安全が確保できないと認められた場合は家庭外措置が可能とした。また、ネグレクトに関する対応も保護的な要素が強化された。以前はネグレクトケースについては、親による意図的な行為であることを証明しなくてはならなかったが、より簡単に証明できるようにした。片親だけネグレクトケースにおける親の権限の制限をより簡易にできるようにし、1年以上改善が見られないネグレクトケースについては、遺棄ケースと同様とみなし、養子縁組を可能とした。また一方の親のみに対する親権の制限についても可能となった。家族に対する対応を行なう ASE (Aide Sociale à l'Enfance) も親の権限を制限することが可能となった。

早期にリスクを発見し、予防的な対応を行なうことを強化することも改正に含まれた。子どもの養育について指導できるような親子が気軽に立ち寄れるような施設 (Maisons des Familles) を脆弱な家族が住んでいる地域に作ることも予防施策の一環として加えられた。在宅支援に関しては家庭訪問を行なうことを義務付け、なるべく多職種の専門職がチームを組んでアセスメントおよび支援にあたるのが義務付けられた。

(2) 社会的養護下にある子どもたちがよりよいケアを受けるための改善

2007年以降、フランスにおいても他の多くの国と同様に、子ども保護システムにおいて、親の子どもに対する権利と子どもの権利のバランスに対する課題が浮き彫りとなってきた。この問題は家族関係の維持を重んじるばかりに、親の支援を重点しすぎたことで、家庭外措置の下にある子どもの権利が重視されてこなかったという指摘から注目された。ヨーロッパの中でもフランスにおいては施設措置率が高く、社会的養護のうち約50%で、里親は低年齢児および特別なニーズのある子どものみ措置先として考えられていたのも、措置後も家族支援を行い、家庭復帰させることを念頭においているためである。フランスでは家族の結びつきを大変重視しており、親の自発的な親権放棄以外は、公的権力が親権を喪失させ養子縁組をさせるという考えはない。実親とのつながりを大変重視しているのである。ゆえに、時として、社会的養護、特に施設養護におけるケアの質や子どもに対する影響については、それほど重視されてこなかったのも、家庭外措置は家族が安定するまでの間の応急措置として考えられていたことに起因している。

社会的養護下にある子どものケアに焦点が当てられたのには、2000年後半になって報告された社会的養護下にある子どもを直接に対象とした Pierrine Robin や Adeline

Gouttenoire による施設ケアや子どものウェルビーイングに関する調査報告が大きく影響している。Robin 氏は実際の施設退所者をインタビューアールとして、施設入所児を対象に施設ケアに対するインタビュー調査をおこない、長期的に施設養護下にある子どもの自立支援に対する課題を明らかにした。また Gouttenoire 氏は子どもにニーズに対する調査結果を元に、子どものニーズに合わせて措置に関わる判断は変化すべきだと主張し、社会的養護ケアにある子どもに対する継続的なアセスメントの実施の必要性を強調した。

2016年の法律改正において、2年以上継続して同じ措置先にいるケース、又は措置変更ケースは必ず子ども裁判官に報告され、レビューされることとなっている。また、全ての子どもに対して多職種によるアセスメントが定期的に行なわれ、現時点の措置先が子どもの発達状況に対して適当であるかを確認することになっている。子ども保護のシステムが家庭内で親に求めることを、社会的養護でも提供できるべきであるとの考えからであり、子どもの多面的なニーズが満たされているかを確認することとなっている。

社会的養護において最も問題となったのは、18-21歳の社会的養護下にある子どもに対する自立支援であった。特に退所後の住居を得ることが最も困難なことだという結果が退所児に対する調査により明らかになった。

退所後の生活の支援について、2016年の法改正によって退所の1年前に子どもとの面談を行い、雇用や住居などの一般生活サービスと組み合わせながら、自立援助のための個別計画を立ていくことが法制化された。

フランスには全ての子どもの養育に対する子ども手当が保護者に支給されるが、家庭外措置をされている場合は、保護者ではなく子どもの銀行口座が作られ、そこに貯蓄されていくことになる。子どもが社会的養護から自立する際に、この貯金は自立資金として使用することができる。しかしながら、社会的養護から直接自立する子どもたちにおいては、18歳にて措置が終了後には一般サービスの対象に移行していくため、県によっては財政難のためにサービス対象から外れてしまうことも少なくない。今後、県が財政難のためにこれらの子どもたちに対する継続した支援が縮小されないように確認するようなシステムが必要となってくるだろう。また、2016年の法改正によって大学等に進学した子どもに対しては、大学卒業まで児童福祉によるケアを延長することができるようになった。

(3) 施策システム（国と県、他の関連領域と子ども保護領域、多職種間の連携）における改善

Marina の死亡事例の検証では、縦割り行政における関係領域の連携の甘さが指摘された。特に、福祉、司法関連、検察庁、学校、医療との関係がうまく行かず、それぞれが情報を持っていながらも、決め手となる判断ができないままに Marina が亡くなってしまったことがその検証報告書により浮き彫りとなった。このため、2016年の法改正ではそれぞれの Départements にどのように児童保護ケースに対して連携を行なうかのプロトコルを作成することを義務付け、その施行について各 Département の議長がリーダーシップを取ることが定められた。また Marina のケースの検証において、彼女の家族が転入・転出を繰り返していたために、学校や医療機関が感知していた情報がそのまま置き去りになってしまい、的確な判断につながらなかったという点も大きくクローズアップされた。

国と県の関係においても、コミュニケーションがうまくいっておらず、情報の伝達に欠陥が見られることは以前からも指摘があった。同じ法の下での施策がそれぞれの県によっ

てどのように実践されているかの詳細を中央政府が把握していないことへの解決策を講じることが今回の法改正においても指摘されているが、具体策については明らかにされていない。

実際、フランス国内において、地方分権が進み、県の権限が大きくなったことにより、県よっての財政的格差、政治的見解の相違が子ども保護施策に対しても影響するようになった。同じ法律の下での施策であるはずだが、それぞれの県によってその運営のされ方が異なるのである。それぞれの地域の特色を反映させながら、どのように均等化していくのが今後においても課題となっている。

また中央省庁においても、福祉と教育、司法、警察などの関係省庁の間の連携が十分でないことも指摘された。この部分の改善については、現場の実践者も交えてどのように管轄のバランスをとりながら連携を行なうかについて今後協議されていく予定となっている。

地域間の連携としては、転入・転出を家族が繰り返すと家族や子どもの情報が途切れてしまい、状況が把握できなくなってしまうことが重症化につながることを指摘されたため、Département 間の情報の共有をおこなうことを義務付ける通知が 2012 年に中央政府からだされ、2016 年に法制化された。また共有される情報も「危険な状況にある子ども」の情報だけではなく、「リスクのある子ども」に対する情報も共有されることとした。

3. 考察（教訓 等）

フランスにおいては、EU の主要メンバーであり、子どもの権利条約においても成立直後に調印をしているが、自国の価値をしっかりと持ち続け、独自の政策を展開している。杓子定規の指標や基準があまりないものの、その時々状況に合わせて柔軟に対応している印象を受けたし、それが施策にも反映されている。ただし、変化の後の評価の部分において、現場でのデータ収集、分析し検証するところに課題が起こるような印象だった。ゆえに今後数年間の間に今回の 2016 年の法改正による変更に対する評価が振り返られることになると思われる。

本レビューを通して、日本の子ども保護システムに対する教訓となると思われる次の 4 点について考察したい。

（1）家族支援と子どもの安全との間の振り子の揺れ

家族に対する支援と子どもの安全は、ある程度子どもに対するリスクが高まることで、相反するものとなる。個々のケースにおいてもそのバランスをとることが難しいが、政策においても、どちらに重きを置くかの方向性の振り子が世論やその時の指導者の考えによって振れることは、どこの国でもあることである。特に、世間が注目するような死亡事例などは振り子がゆれるきっかけとなる。しかしながら、振り子はある程度触れてもその支点はぶれてはいけなく、その支点がぶれると両極のバランスが取れなくなってしまう。その支点とはその国の子ども保護における価値であり原理であるべきである。何のために、子ども保護の施策があるのか、そのシステムの存在意義とその大義についてゆるぎない哲学をもっておくべきであり、それについては一部の政策関係者や学識関係者だけではなく、関係領域での現場で支援を行なっている実践者も交えて議論を重ね、築きあげる必要がある。

フランスの子ども保護システムは 2016 年の法律改正により、子どもの安全やウェルビ

ーイングに焦点をより当てることとなったが、それはあくまでも家族支援に価値を置く、揺るがない支点があってこそその調整でないかと考える。柔軟性のある施策の展開と確固たる価値の維持は、日本においても見習うべき点ではないかと思う。

(2) データ収集に対する組織化とその課題

フランスにおいては中央と地方 (Départments) において、情報やデータを収集し、伝達するためのシステムは構築されているものの、その運用についてはまだまだ課題が残っている。システムを構築しても、どの情報をどのようにだれが収集するか当のソフト面が整備されていなかったことが起因しており、これからの課題となっている。

どのような目的でデータを収集するのかをきちんと明確にし、その目的を共有した上で、どのデータを集めるのか、そのデータに関する操作的定義をきちんと行なっておくべきである。データを収集し、蓄積することによって、分析や検証を行なうことができ、更なる改善につなげることが可能となる。この点については、日本の子ども保護システムも未熟であり、取り組んでいかななくてはならない。

(3) 地方格差と地域分権および中央政府との役割のあり方

フランスにおいては中央集権国家でありながらも、児童福祉を初めとした社会福祉サービスについては県 (Départments) が実践の権限を持っている。同一の法律が適用されているが、その運用に関してはそれぞれの県の方針によって様々である。また、近年の経済の低迷化や保守派の台頭によって、社会福祉サービスに対する予算自体を削減する県も多くある。そんな中で子ども保護サービスにおいてもそのサービスに対する質の格差が生じている。各県の実情をより反映させ、その地域の実情にあったサービス展開のためにそれぞれの県に運用の自由度をある程度認めながらも、その施策の質の均等化を図ることは大変難しい。また、それぞれの県が行なっている実践の現状をどのように今後の国としての政策に反映させる、または法律が実際に目的どおり現場で実践されているかを検証するためには、中央政府はそれぞれの地方での実践について把握する必要がある。

日本の中央政府と市町村・県の関係においても、特に市町村においては、地方分権が進む中、それぞれの市町村には地域性も含めた格差があり、それが虐待対応の実践にも反映していると思われる。それぞれの自治体での実情を踏まえた上で、国としての政策を考えていくべきであり、システムにおいて、中央政府と都道府県・市町村がどのような役割をそれぞれに成っていくかについて考えていくべきである。

(4) 社会的養護にある子どもに対するケアの質の保証

子ども保護システムにおいて、子どもの安全確保のための最終的な手段となるのは社会的養護への子どもの措置である。子ども保護システムが家庭に期待する養育のレベルを社会的養護でも実現するべきだとする考え方により、社会的養護にある子どもに対するケアの質の向上がフランスにおいても今回の法改正により取り組まれることとなった。システムの目的が安全確保だけではなく、子どものウェルビーイングの保障でもあるのなら、社会的養護においても、そのウェルビーイングは保障されるべきである。子どもを養育する環境が変わったからと言って (施設ケア、里親ケア、実家族の下でのケア)、その目的は妥協されるべきものではない。施設養護から家庭的養護への移行に躍起になっている日本に

においても、今一度この考え方に立ち戻る必要があるのではないだろうか。

また社会的養護のもとから直接自立生活に向かう年長児たちに対するケアについても、今回の法改正では焦点となっていた。21歳までの措置延長も日本でも改正された点ではあるが、それに加え、これらの子どもが児童福祉の対象ではなくなったときに、どのように一般的な社会福祉サービスが施設退所後の生活を支援し補填していきけるのかについて、措置延長とともに議論していく必要がある。フランスには年長児の子どもたちが入所中に美容師やウェ이터・ウェイトレスの職業訓練を受け、退所時には就職先が決まった状態で退所することができる施設がある。どのように施設退所後の自立生活にスムーズに移行していくのか、そのハンディをなるべく補填することができるのかについて、自立援助ホームや施設のアフターケア以外の支援も検討していくべきである。

先にも述べたように日本とフランスの子ども保護システムは、そのパラダイムに大きな違いがあるように思われる。日本においても、今一度、システムの存在意義と目的について、現場の情報をきちんと得ながら、フランスの子ども保護システムに倣い、徹底的に議論し共有していくべきである。

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3. スウェーデン

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I. Overview of the child protection system

Children have the right to a secure upbringing and opportunities to develop at their own pace and on the basis of their own abilities and needs. Children are competent individuals who must be respected and allowed to participate in decisions that concern them (Government Offices of Sweden, 2015).

1. Ample social services provided by local municipalities

To understand the child protection system in Sweden, this is a short description below of the context of Swedish welfare society and how it has developed during the latest century. The population is about 10 million (2017), which has been recently increasing mainly due to immigration. Compared to current European standards, Sweden has a relatively high fertility rate and as of 2016, it stood at 1.92. However, the proportion of children in the population has decreased during the last century and the amount of children, age 0 to 18 years old is forecast to stay at 20 % until 2060 (SCB 2016, 2017).

Due to Sweden's highly decentralized public services, the Swedish child protection system is operated by local municipalities (=kommun), covering a wide range of services including welfare and education. The Swedish public social services framework regarding Swedish child protection and care have the following characteristics: 1. Regulation from a framework law, The Social Services Act (=Socialtjänstlagen, SoL), 2. An emphasis on widely inclusive and ample family support services, 3. An emphasis on social service investigation by IVO (=the Health and Social Care Inspectorate), 4. Persistence of dated social work ideology and methodology, 5. Strong voices of child rights organizations influencing public policies/services. and 6. Recent challenges regarding high influx of immigrant children.

Through annual inspections from the National Board of Health and Welfare (=Socialstyrelsen, NBHW), it has been pointed out that safety and security of children in municipal childcare has to be increased (IVO 2015, Wolmesjö 2016). Among many organizational improvements and innovations in child protection, the element of evidence-based has been one of the emphasized elements. A common evidence-based model "Children's need in focus" (=Barns behov i centrum, BBIC)

is today used by 287 out of 290 municipalities for decision-making, providing, and evaluating children's needs of social support. Agreements have been made between several municipalities and county councils, and even with schools and pre-schools to collaborate when a child or youth needs protection or security.

Every year, the NBHW presents a general description of the current situation on social work regarding social care of children and youth, public assistance, drug abuse and dependency, violence and homelessness. The reports clearly show ample social services provided by municipalities. However, in the latest report (Socialstyrelsen 2016a), it is stated that children who were placed in family care or HVB-homes had poorer health and shorter education compared to children, who were staying with their parent(s). During 2015 the number of children arriving as unaccompanied refugees increased rapidly. This situation effected the work load on social work tremendously and challenges the municipal organisations.

2. Terms and notions

Before getting into details, it is necessary to provide a definition of terms and notions to allow the reader to understand something about Swedish child protection. The term "child protection" is hardly used preferring instead "care and support for child and family" and similar terms which almost always refer to family. The local municipality has the final responsibility for care and support for child and family, and provides a wide scope of preventive support and care, and also out-of-home care.

The most comprehensive and commonly used term available in Swedish is "social barnavård", with a meaning close to "social care for children". Sundell et al. (2007:16) defines "social barnavård" as follows (English translation): socially organized, mainly by municipal social services, care/support, for children who are being maltreated or at risk of maltreatment. This term clearly includes out-of-home care, but in fact covers any other support or services to children and families in need.

In the two typologies which are often used in international comparative studies on child protection: "child protection oriented" and "family support oriented", Nordic countries, including Sweden, are always regarded as a typical case of the latter focusing on preventive work, which is contrary to the USA (Hill et al 2002:8). Hill also states that the direct translation of "child protection" in English does not exist in Swedish. This provides the reason as to why the most comprehensive overview so far in English of the Swedish child protection system by Hessle and Vinnerjung (1999) uses "Child Welfare in Sweden" as its title. To remain compatible with terminology the term "child protection" will be used in this paper however with the Swedish equivalent "child welfare" and "social care and support for children and families" in mind.

3. Children' s rights

Children' s rights have been based upon the UN Convention on the Rights of the Child (=CRC) since 1989. Every child, up to 18 years old, who lives or stays in a country has these rights. International Guidelines on Alternative Care, which were adopted by the UN in 2009 are included in the Swedish policies. Swedish laws should be consistent with the rights of children in CRC. Nordic countries are famous for their pioneer role regarding child rights' protection even before the introduction of CRC. Ellen Key (1849–1926), Alva Myrdal (1902–1986), and Astrid Lindgren (1907–2002) are all prominent Swedish figures who had a strong impact on child rights' protection and its progress. Already in 1979, a law banning corporal punishment had already been added as an amendment to the already existing law, Family law (=Familjerätt) (Government Offices of Sweden and Save the Children Sweden 2009).

After CRC, Sweden has attracted further attention for its advanced systems and measures regarding children' s rights. The Swedish government' s enthusiastic efforts are embodied for example in the 1993 Children' s Ombudsman and development of child well-being measurement. CRC will come into Swedish law from 2020. To acquire deeper understanding of children' s rights, Professor Shiratzki' s widely acknowledged in-depth work, should be referred to particularly Shiratzki (2014).

4. Legislations and regulations

(1)The Social Services Act (=Socialtjänstlagen, SoL)

The most important regulation for child protection is the general Social Services Act, which was originally established in 1982 (SFS 2001:453). The act, involving municipal care of children and focusing on children' s perspectives, has been developed. According to the Social Services Act, a child is anyone under the age of 18. The Social Services Act is a framework law including: elder care, care for people with disabilities, and children/families/individuals in need. It describes the ideology and final municipal responsibilities for the aforementioned social services. Thus as for child protection, the Social Services Act is the guiding law to outline the scope of concrete services provided to the children/families in need. It is important to note that no fundamental changes have been made in the principles since its introduction. However, some major revisions in 2001 led to as the act stands today. Pettersson ed. (2014) is one of the most appropriate literatures, summarizing three decades history of the Social Services Act. Chapter 4 of that, by Lundström and Sallnäs, explains specifically child welfare field with regard to the law.

(2) The Care of Young Persons (Special Provisions) Act (=Lagen om särskilda bestämmelser om vård av unga, LVU)

There is another law especially for compulsory care, the Care of Young Persons (Special Provisions) Act (=Lagen om särskilda bestämmelser om vård av unga, LVU, SFS 1990:52), which was introduced in 1982 same as the social services act. Care, under LVU, may come into question when voluntary solutions are not sufficient, and results in the parents' right to make decisions about the child being restricted. There are two main cases: environmental cases and behavior cases, where care under LVU can come into question (Sveriges domstolar 2014).

(3) Others

In 2009, there was a legislative proposition to introduce an independent law on child protection by the child protection committee (=Barnskyddsutredningen) (SOU 2009:68). Although the proposition did not pass the parliament, the fact of such movement shows that the fundamental construction has been seriously questioned at that time (Lundström and Sallnäs 2014:48-49). There are naturally a number of ministerial orders and guidelines for investigation, documentation and more regarding child protection, for example The National Board of Health and Welfare/ Socialstyrelsen (2006b, 2006c).

5. Before starting following chapters...

For the purpose of the analysis used in this project, the authors regard the period of time from the 1982 Social Services Act (revised 2001) until the present day, as "the present system". The premise on which the following chapters are based is given below. When analysing Swedish child protection system from the perspective of cycle, used in this project, two basic difficulties arise. The first of these is the tendency to continue to regard 1982 as "modern" which when compared to other developed nations which have numerous reforms time since the early 1980s is hardly comparable. This is not to say no reforms have been brought about, but that the fundamental precepts and structure remain intact and in practice. The second is the lack of specific changes to child protection with any changes happening at the macro level to social welfare as a whole.

II. Analysis of the development cycle of the child protection system

(Analyse the development cycle of the system along with the hypothetical framework presented in the Figure 1).

1. Background, Events, incidents, public opinion etc. leading to the present system (1. Social discovery phase)

Important elements of the Swedish universal welfare state have been

described in many literature even in Japanese such as Okazawa (2009). The present child protection system finds its roots in the rapid expansion of the welfare state spanning to two decades from the 1960s to the 1970s. During that time, the universal social welfare policies, based on social rights, came into being. Such policies could include child care and paid parental leave, and represent a safety net for all citizens.

In the field of intellectual disability, the principle of normalization was pioneered in Nordic countries. This idea of normalization was in turn applied to other fields and characteristically manifested itself by the decrease in focus on protection and increase in support. Normalization, since becoming embedded into the fabric of society, is now synonymous with human rights not just the abolition of institutions. Although the ideology of “equal opportunity” is widespread across the board in the social services, it is especially at the forefront in child-related services. The Swedish tendency is to prioritize children with the notion that every single child bears no responsibility for the circumstances into which they are born, and therefore should be given equal opportunities. This fundamental principal of universalism has been prevailing in all child-related policies until thus far.

Furthermore, “democracy”, the most valued principle of Swedish society, is a significant factor which functions as a fundamental in all social welfare areas. As a mass popular movement originating in the 19th century, it is common for anybody to participate in various organizations. Participation through civil society organizations has always been a way of raising voices in society especially in the process of policy making, so it should be no surprise that organizations have been influential in many areas including social welfare. As is the custom, a select committee is formed to discuss various proposals for new legislations. Such proposals are submitted to related organizations for both input and feedback with the committee responding to these within a certain time frame. This is known as the Remiss. This democratic tradition generates various organizations operating in people’s everyday lives and those specifically regarding children nationwide are: local sports/cultural organizations, parents’ organizations, students’ organizations, youth organizations on their own or within large organizations such as Red Cross or political parties. Regarding democracy and civil society, see Okazawa (2006) and Yoshioka (2008) in Japanese.

2. Search for the present child protective system, preliminary considerations (2. Precursor phase)

Processes to the Social Services Act of 1982, a turning point for the whole social welfare world in Sweden, are regarded to be the paths to the present child protective system in the Swedish context. Ponnert (2015:21) comprehensively describes the Swedish history of child protection system. Before the Social

Services Act, there were various specific laws aimed at particular individuals in society. Historically, the first Swedish law with regard to child protection/care was introduced in 1902, on which new revisions were made in 1924 and 1960. In those earlier laws, the idea of social protection, and moral perspectives dominated. Criticism towards such old perspectives prevailed during the 1960s and 1970s, which culminated in the formation of the Social Services Act in 1982. In the immediate time leading up to the Social Services Law, a generalist approach with a comprehensive perspective was upheld as an ideal social work approach (Ibid:56).

Around the introduction of the present system, was the time which witnessed various rapid social changes: improvement of economy statuses, expansion of child care, and reduced prejudice for single parent families and other diversified family forms (Lundström & Sallnäs 2014). A symbiosis of individualism and equality prevails in society and forms the premise from which we can understand Swedish child protection today.

Most important incidents and public opinions which were more directly related to child protection issue was campaigns against corporal punishment to children in the 1970s. A high profile child abuse case at the end of the 1960s created public concern and eventually led to the establishment of BRIS, the well-known child rights' organization today. The government ran a campaign against corporal punishment in collaboration with related organizations, BRIS and Save the children Sweden. Finally in 1979, this led to the world's first ever law banning corporal punishment to include the home, as an amendment to the already existing law (Family Law). At the beginning, traditional opinions accepted parent's rights regarding the discipline of their own children, however, in a surprisingly short time public attitude did an about-face and adopted a zero-tolerance approach against violence and abuse to children (Regeringskansliet 2009, Government Offices of Sweden and Save the Children Sweden 2009) .

3. New systems and practices established through 1 and 2 (3. Achievement phase)

New systems and practices are outlined below as new ideologies and systems brought about by the introduction of the Social Services Act. The aforementioned Social Services Law, first enforced in 1982 and majorly revised in 2001, is a framework law covering almost all fields of social welfare. The Social Services Act characteristically comprises two principal perspectives: voluntary use and comprehensiveness (Pettersson red. 2014). The Act resists going into any details and merely outlines in general terms the ideals and principles leaving any interpretation to be done on a municipality-by-municipality basis. Despite the generalized tone of the Act, chapter five deals with individual areas, however, with regard to children and youth rather concrete descriptions appear. Another characteristic regarding children in the Social Services Act is that juvenile

delinquency is also featured.

As well as the Social Services Act, there is also another law especially for compulsory care, the Care of Young Persons (Special Provisions) Act (=Lagen om särskilda bestämmelser om vård av unga, LVU) of 1982, which is utilized when the former does not apply. Though child protection has existed for about the last 30 years under these two laws, the first 10 years and the last 20 years were different in reality (Lundström & Sallnäs 2014:57). For the first 10 years, a generalized social work approach had been taken as written in the law, however, specialization in social work increased in the following 20 years. The current Swedish child protection has a larger aspect of dealing with teenagers with various difficulties.

4. With regard to the newly established systems and practices, evaluation and discovery of new issues after implementation (4. Review phase)

(1) Reactions against new trends since 1990s

As well as municipalities' increasing autonomy, a new trend of marketization mainly since the 1990s, caused the ever widening gaps in areas such as the quantity and quality of all public services, and user fees among municipalities. This was brought about by the introduction of NPM, based on criticisms towards the huge and rigid public sector and financial crisis during that time. "The purchaser-provider model" introduced by local municipalities has brought fundamental changes in social welfare in general. Under this model, service providers, separated from the purchaser (municipality) can be chosen through bid tendering, although the responsibility has still remained within the municipality.

Private providers, mainly huge for-profit companies, have rapidly expanded especially in urban areas. However, in the field of child protection, it was already in the 1970s, before the introduction of the social services act, that private providers started to rapidly expand their service provider's role mainly in 24-hour care (Lundström & Sallnäs 2014:59, Wiklund 2011). To address such recent problems in all social services, there are basically three measures: 1) National evaluation and comparison system (=Öppna Jämförelser); 2) National ceiling system for user fee; and 3) Stricter audit control for quality of services.

(2) Criticism of child protection

Child protection was the field which came under the severest of criticism during the 1990s. The criticism was not born out of the new trend of marketization, but rather originated from its old fashioned characteristics. Main criticisms include: child protection social work was not structured or standardized; disparities of the range and quality of services at the local level were too

apparent (Socialstyrelsen 2006a:12–17, Socialstyrelsen 2008). In fact, child protection and support is the field where rather major changes have been implemented since the early 2000s after severe criticism was levelled at the public social services and out-of-home care. The nature of those criticisms and any resulting improvements should be noted.

Privatization has progressed remarkably in the field of individual and family welfare, including child protection, compared to other fields of social welfare. Surprisingly however, very little has been scientifically and officially documented regarding the effects of rapidly increased privatization in social welfare as Hartman et al. (2011) criticises.

(3) Independent Public Agencies

Although not to tackle only with matters of child protection, independent agencies were set up since the 1990s as privatization expanded rapidly. With regard to compulsory care, the National Board of Institutional Care (=Statens institutionsstyrelse, SiS) was founded in 1993 as an independent Swedish government agency that delivers individually tailored compulsory care for young people with psychosocial problems and for adults with substance abuse. SiS runs special residential homes for young people (särskilda ungdomshem), which receive young people with psychosocial problems, substance abuse and criminal behaviour. Care is provided under the terms of LVU. (Statens Institutionsstyrelsen 2016). SiS is supervised by a number of bodies, including the Health and Social Care Inspectorate (Inspektionen för vård och omsorg, IVO), the Swedish Schools Inspectorate (Skolinspektionen) and the Parliamentary Ombudsmen (JO).

The Health and Social Care Inspectorate (= Inspektionen av vård och omsorg, IVO), is the most important supervisory inspection agency regarding child protection, founded in 2013. It is a government agency responsible for supervising health care, social services and activities under the Act concerning Support and Service for Persons with Certain Functional Impairments (LSS). IVO is also responsible for issuing certain permits in these areas. Its supervision remit covers the processing of complaints concerning, for example, the reporting of irregularities in health care and social care (called Lex Sarah and Lex Maria reports) and the municipal obligation to report non-enforced decisions. Its supervision activities are carried out at six regional offices around the country (Inspektionen av vård och omsorg 2015).

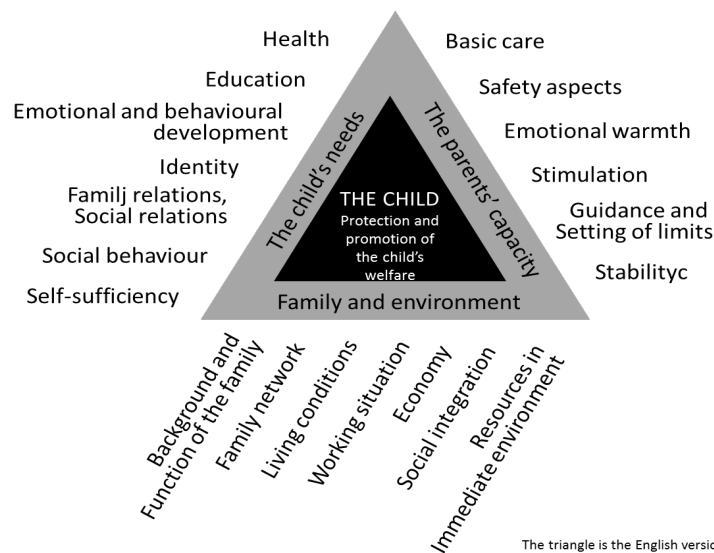
(4) BBIC

As a reaction to severe criticism towards child protection administration system even from the government, the ministry in charge decided to introduce a totally new social work administration system, BBIC (=Barnens behov i centrum, Children's needs in Focus) initially as a pilot scheme in the early 1990s. BBIC

is the practical system in social service administration and documentation in child and family social services. This Swedish model is created from the original British model and has been introduced in 98% of local municipalities (Socialstyrelsen 2013). The National Board of Health and Welfare runs a professional training course to which staff of local authorities receive certification as a BBIC trainer.

BBIC also maintains the basic ideal perspectives of social work practice by the triangle model (child, family and environment). By using BBIC, structuralization and systemization have been prioritized. The purpose of it is to virtualize the problems as data the documents of which can be referred to in possible future practices. See Yoshioka (2017) regarding the background of BBIC in Japanese.

BBIC Triangle



The triangle is the English version shown in Edebalk(2005) Fig.2, p.4

To offset negative disparities caused by decentralization, a centralized system has been sought in the child and family field. Another change brought about by BBIC was that to emphasize the importance of hearing the child's voice especially in the process of social work investigation and assessment. Even though Sweden is famous for its advanced notion of children's rights as stated in the UN convention on the rights of the child, in actual fact, to hear the voice of the at risk child is still far from reaching its ideal. Besides its negative aspects (complicity and time-consuming aspects), BBIC has grown to be a fundamental base of current child protection social work. This has also found its way officially into other fields of social work, which at present include individual social welfare and elderly care. The adaption of BBIC as an imported model from England to a Swedish system nationwide is described by the National Board of Health and Welfare (Socialstyrelsen 2013) in detail.

(5) New Issue: Refugee Children

The biggest change in child protection since 2000 is an increase of immigrant children. Even with Sweden's history of accepting and integrating immigrants and refugees for several decades, and having a quarter of the population with non-Swedish (out-of-Sweden) backgrounds today, an influx around 2015 overwhelmed services. Especially in Sweden, there are numerous unaccompanied teenage asylum-seeking children, mainly boys. That prompted the construction of temporary emergency shelters. Furthermore, 24-hour care, support for legal procedures, education, and community networks are also needed for them.

Furthermore, children and family with multi-cultural backgrounds in general, even after several years of residency, tend to have difficulties and conflicts regarding cultural disciplines, and severer domestic economic situations. Despite the Swedish government reducing the number of arriving refugees, local municipalities still look after existing cases. The National Board of Health and Welfare (Socialstyrelsen 2013b) outlines such refugee children's needs and support for them.

III. On agencies providing services to prevent child maltreatment/ for family support

1. Outline of the support responding to child maltreatment procedures (Legislations, rule and procedures, practical tools and forms, outline of database...)

As already stated in the introduction and chapter one, to select only "preventive" services is hardly possible in the Swedish context. This chapter will provide the explanation of the services provided (or at least taken responsibility for) by municipal social services. Rather than field-specific incidents and discussions within child protection contributing to its current system, it was those in general social work areas that affected the biggest changes. Thus, much of background factors are repeated in chapters two and three. The municipal social services, responsible for any at risk child or family, are the only agencies which can make social work decisions, including providing them with a contact person/family, and granting admission into foster care or institutional care. The municipal anti-natal and child care divisions are also the agencies which play important roles in preventive care. Notably, child health center (=barnvårds central, BVC) or family centres, actually meet almost all of children and families in the area and are expected to be the agency to bring worrying cases to light.

With regard to actual service provision, however, a considerable part of both out-of-home care and preventive care are taken on by private agencies today. Marketization of social welfare in Sweden has been characterized by the fact that

large for-profit companies, many of which are international conglomerates, comprise most of the private provision, while non-profit organizations' roles are marginal in that sense. Private provision are in practice by tender, purchase of places or other ways (Wiklund 2011, Socialstyrelsen 2014). Non-profit agencies also have been playing important roles in a broader sense such as paying attention to the usually unheard voices of children through their telephone support lines.

Child protection procedures are officially set by regulations from the board of health and welfare, for example a handbook regarding social work investigations published by the National Board of Health and Welfare (Socialstyrelsen 2015 b). However, regulations centre on various aspects of social work investigation and assessment, but not on the contents of services. Thus, actual support and services differ from municipality to municipality and it is hard to have a comprehensive understanding even from national reports such as "Support and services for children and families" (Socialstyrelsen 2016).

2. Analysis of the developmental cycle of preventive services for child maltreatment

(1) Background, Events, incidents, public opinion etc. leading to the present

As described in chapters one and two, the Swedish welfare state's central ideology of universalism has meant that everyone is entitled to public services. With regard to children and family, the first universal system was maternal and child health services. Community maternal and child health services started to be introduced in some parts of the country in the 1930s, and by the 1940s the system was available at a national universal level.

The 1930s was the time when Gunnar and Alva Myrdahl had a powerful impact on public opinion resulting in the expansion of family policies to tackle the population decrease at that time. It was also the time when the social democratic party laid its foundation with the ideology of "folkets hus" which began the historically lengthy rule of the government. After World War II, as Sweden made dramatic growth both economically and in social welfare, a wide range of universal services became fundamental parts of the society, notably universal child care and a more flexible working environment (Socialstyrelsen 2015c). With regard to child protection though, old-fashioned institutions with their residual orphanage characteristics remained until around the 1960s, which by today's standards would be considered wanting (Socialdepartementet 2011). As society became more affluent, poverty became increasingly less conspicuous.

(2) Search for the present child protective system, preliminary considerations

(2. Precursor phase)

Events leading up to the present child protection system have a lot in

common with those covered in chapter 1. The 1970s witnessed the shift to the present system being under the jurisdiction of the Social Services Act in several ways. As stated in chapter one, criticism towards corporal punishment and child abuse drew attention, the view of children's rights prevailed, and the comprehensive perspective and general social work approach became the goals to aim for.

In the growing movements to seek for "normalization" in the 1970s, a movement against institutionalism especially in the field of welfare for people with mental disabilities was also seen. Not only in that field, but there were hot debates regarding social care and support based on the ideal of normalization. That was the base for the development of a rich variety of non-residential care (=open care) in Sweden. As Lundström & Salmäs (2014: 49–50) states, preventative care had been already promoted even before the social services act of 1982, with a clear aim to reduce out-of-home care.

(3) New systems and practices established through 1 and 2 (3. Achievement phase)

Chapter two, article two of the Social Services Act, clearly imposes upon municipalities the final responsibilities for care and support for residents in need. Thus, municipalities have long been the agencies both making decisions on protective services and also providing services to prevent child maltreatment and to support families.

Facts on municipal social services division

Municipal organizations vary widely mainly depending on the size of their municipalities. However, there is always a division of responsibility for "individual and family welfare", in which child protection is included regardless of whether it is independent or combined with other social welfare areas. Ponnet (red.) (2015) is one of the most comprehensive work to outline and discuss social work investigation regarding child protection.

Among the different social welfare fields, social services related to child protection is the field which most strictly requires a recognized social worker qualification. Social workers working in the division of individual and family welfare are specifically referred to as "socialsekreterare", whereas in elder care or care for the people with disabilities are normally just referred to as care assessors (=handläggare). The typical "socialsekreterare's main work and consequently most important, is investigation and documentation. Naturally that brings criticism that social workers allocate too much time to dealing with documents and telephone calls without actually interfacing with the children and families.

Shiseido Shakaifukusi-zaidan (2012:49–55) describes how municipal social services work in detail. It explains that Södelmalm Ward of Stockholm, population

of 120,000, employ 45 staff in the IFO section (25 qualified social workers for consulting and investigation. 20 of them directly work with children and families). The staff density is roughly 4 times more than a child guidance centre of a similar demographic Japanese counterpart. In Swedish laws, there are not any certain staff density officially regulated in any social welfare fields including child protection.

Support and services

The fundamental structures of support and services remained unchanged since the time of the enactment of the Social Services Act (1982). Municipal social services take overall responsibility for everything related to at-risk children and families. Support and services for those are officially divided into two categories, open care (=non institutional care) and 24-hour care as seen in governmental reports such as “Barn och familjer-insater år 2016” (Socialstyrelsen 2016).

The “preventive” approach is ubiquitous in all governmental states and documents. An obvious example is the 2008 “Support for parents -benefits for all” (Socialdepartementet, 2008). The Swedish government states that a wide range of universal support, including flexible and well-paid (80% of one’ s basic salary) parental leave, child allowance, child care, free education, will surely reduce a risk of problems in child rearing, also will easily detect any cases requiring attention.

Basic procedures

The actual procedures are described in detail within the guidelines from Socialstyrelsen/The National Board of Health and Welfare. Those especially important are, “Handläggning och dokumentation inom socialtjänsten” /Processing and documenting in social services (2006) and “Utreda barn och unga – Handbok för socialtjänstens arbete enligt socialtjänstlagen” /Investigate children and youth - Handbook of social services according to the Social service act (2015 b). The overview of Swedish child protection is most well described in Hesse & Vinnerljung (1999) in English, from organization to type of support and services. In Japanese, Shiseido-shakaifukusi zaidan (2012) describes how child welfare/protection social work are organized and managed. As they critically state, Swedish child protection has been widely different nationwide both in organization and actual support and services.

Since most of the support and services are provided on a voluntary basis and free of charge, no formal investigation or municipal decisions are required. Such services could include parenting classes, teenager groups, health care advice for teenagers, family counselling (payment required) and more (Växjö kommun 2015). Municipal social services receive calls regarding maltreatment or other risky

matters 24/7. Out of typical business hours, there is a specific phone number for emergencies, and it is commonly known as “social jour”. Municipal social services receive reports regarding maltreatment both actual and suspected cases from schools and other agencies, and then decide whether to formally investigate the case or not, and conduct investigations. Such investigations would include direct communication with children and families, or professionals in related organizations, and making referrals to other related agencies. Since this investigation carries considerable weight, it may last up to three months or carried out while both children and families are accommodated at an institution.

In most cases, children remain at home but are given certain additional support. For example, in one particular municipality, there is a facility called “Family house” where parent and children spend some time there regularly with professional staff. Staff observe the parents’ way of meeting their children, and teach them how to meet and discipline children, by for instance cooking and gardening together, or going to a swimming pool together (Växjö kommun 2015). Another typical support is “contact person/family”, which requires a social services decision as to whether to use it or not. Contact persons/families, volunteers in the community, are matched with a child in need in order to provide a good social network. The child and contact persons/families regularly meet and spend the time as requested by the child and intermediary.

However, such preventative care widely varies from municipality to municipality, since the related laws do not describe the details. Contact persons/families has been the only support named in the law until now. From the end of the 1990s, official statistics started to use the two categories: individual support with needs assessment, and structured open care (Lundström & Salmäs (2014: 50–51), and meanwhile use of preventative care has rapidly increased since the 1990s. It seems that municipalities provide various new types of supports (Ibid:51).

Needless to say, serious cases will have to lead to 24-hour care. When 24-hour care is required, foster families are the default choice for all ages, however, in reality more than 50% of teenagers are placed in HVB (=hem för vård och boende/home for care and housing, residential care). Municipal social services have their own pool of registered foster families, although there are many privately-run “foster family support and counselling offices” with their own foster families. It is then down to social services to decide from which sector foster families should be chosen, or alternatively an HVB. Support and services used are described in a number of reports from BNHW. According to the National Board of Health and Welfaare (Socialstyrelsen 2015), the number of children in placement (24-hour care) has in fact increased after SoL. Among 1,000 children, six in 1992 (1,500 in total) and 12.55 in 2012 (30,000 in total) were in care sometime in that year. However, recent increase in placement is said to have

derived from asylum-seeking unaccompanied children.

Actual provision has been increasingly taken by private agencies since the 1980s. There are a few private non-profit on call duty (=jour), mainly to secure women and their children from violence. Shelters for women with or without children have been traditionally run by non-profit humanitarian organizations. Furthermore, child rights organizations' child line activities catch children's voices including initial stages of difficulties and severe maltreatment cases, to which in some cases, those organizations actually connect the child to the related agencies or professionals. Away from the auspices of formal public preventative support, a limited number of community and voluntary based activities provided by churches or voluntary organizations also exist. For example, it is common for churches to run "baby cafes" for local children and parents, as well as pre-school activities.

In the Swedish context, the role of the judiciary is much smaller than other European counterparts. Any objections to a social services decision are to be addressed to The Administrative Court same as any other public services. Claims regarding social care are to be reported to IVO, the audit controlling agency described in the following section five, or if related to 24-hour care to SiS, The National Board of Institutional Care (Statens institutionsstyrelse).

4. With regard to the newly established systems and practices, evaluation and discovery of new issues after implementation (4. Review phase)

The basic framework of social services roles and procedures when dealing with maltreatment cases have not changed since the enactment of the 1982 Social Services Act. However, two specific changes have been made. The first of which, the perhaps the most radical is BBIC, a national social services administration system used by municipalities since 2006, as described in chapter two (Socialstyrelsen 2006 a). It was a recognized fact that the voices of children under social services investigation were the least heard. To address this issue, although BBIC does not directly target maltreatment problems, the idea was to provide structure for "hearing the voices of children" in daily social services administration.

Another change has been in the number of support and services actually accessed by users. The number who used "contact person/family" decreased; instead, other forms of "structured support" have increased. Although no official analysis on that change has been undertaken yet, Sallnäs (2016) implies that support without requiring bureaucratic procedures are preferred. That tendency makes it even more difficult to form an overall picture, because such preventative support, provided on a voluntary basis, is almost impossible to be officially documented or quantified as data. A manifestation of this tendency to widen preventative support is the family centres (=Familjecentrum) which have

been expanding since the 2000s. Family centre is a community centre for babies and children before school age and their parents, which vary from municipality to municipality in their structure. Family centres operate as an important collaboration of different professionals, health care, pedagogy, and social welfare. Furthermore, there are useful activities and public services provided in the same place, for example, child health centre, open preschool, parent gatherings, parenting classes, advice and counselling.

Lastly, there has been a problem regarding staff working with maltreatment cases. One of current social work's largest challenges with children and youth is to recruit and keep qualified social workers in the municipal organisation. Large differences in employee competence due to qualification is apparent. The number of staff members with a bachelor degree and more than three-year's experience in social work can vary between seven and 100 per cent, which effects the quality (Socialstyrelsen 2016). In order to enhance professional competence, the government started a specific on the job extension course in 2016 for social workers/socialsekreterare at several universities nationwide.

To conclude, the prioritization of preventative services has been even strengthened and the services have been expanded both in terms of quantity and quality. No specific trends or changes specifically related to child maltreatment still remain to be seen. Due to characteristically Swedish high level local autonomy, it is still difficult to measure the quantity, detailed contents, and quality of those services at the national level.

IV. On organizations and agencies associated with children's rights and participation of families

1. Current situation of children's rights and participation of families (i.e. legislations, rule and procedures, practical tools and forms, and the outline of a database)

Sweden was one of the fastest to ratify CRC (Convention on the Rights of the Child, 1989) and has been playing a leading role championing children's rights ever since. Movements to further promote children's rights have been active, which has led to CRC about to be written into Swedish law by 2020. Children's rights based on CRC permeate almost anything related to children, including health care, education, social services and the working environment for parents. Many of the recently published social welfare policies literature on children either include the keywords of "rights", "children's voices" or "children's power". As "Rights" and "participation" have long been the key notions of the Swedish welfare state (Edebalk 2015), it is neither a particular nor new trend within the child protection field as already explained in earlier chapters.

Organizations and agencies to promote children's rights and the participation of families exist in both public and private capacities. A typical public listing includes The National Board of Health and Welfare (Socialstyrelsen), the health and Social Care Inspectorate (=Inspektionen för vård och omsorg, IVO) and children's ombudsman (=BO). Needless to say, in the context of child protection, municipalities are also important bodies.

A typical listing of private voluntary-run organizations includes Save the Children Sweden and BRIS, which are most well-known and revered organizations (Lundström 2001). A more detailed description appears at the end of this paragraph. They have both carved out prominent places for themselves in Swedish society and naturally are held in high esteem. Primarily, they act to guide the government in the right direction with regard to funding and the introduction of new ideas.

Another important factor to promote the participation of children and families is the efforts to enhance accessibility for people with different backgrounds or needs. For example, websites of both public and private agencies normally have information in various languages (simple Swedish, Arabic, Finnish, English...). Access to information is a fundamental prerequisite to guaranteeing citizen's rights.

2. Analysis of the developmental cycle of organizations and agencies associated with children's rights and participation of families

(1) Background, Events, incidents, public opinion etc. leading to the present system (1. Social discovery phase)

Since the 1930s, public agencies have been regarded as offshoots of the Swedish social democratic welfare state. In the process of the Swedish welfare state's development, participation in the society in general has been promoted as a part of the ideal notion of "democracy". As Okazawa (2006) clearly explains, participation of the people at various arenas (decision making, social activities), is crucial, especially in a high tax, high social service welfare state, to secure its legitimacy.

From a civil society perspective, as for privately-run voluntary organizations, Sweden has a unique tradition of "popular movement" which still has a strong influence on the active promotion of children's rights today. (The general foundation of organizations in Swedish society can be traced back to the early 20th century, which is known as "the popular movement" by historians.) With this tradition, there are several very powerful and influential organizations tackling the issue of children's rights. Lagerberg(2016) states in his article quoting Matsson from Save the Children Sweden as follows:

One of the reasons for Sweden's early commitment lies in a tradition of social movements such as the workers' movement, women's movement and temperance

movement. The entire Swedish democracy is based on a strong history of social movement and volunteer organisations. They were established towards the end of the 1800s and worked with a number of issues. The rights of children was, and still is, one of these important questions.

As often described in civil society studies, for example Lundström & Wijkström (1997) and Yoshioka (2004, 2008), active participation to society through organizations still remains in a wide range of areas namely sports and culture. In social welfare fields, organizations mainly play the role of mediator bringing voices of people who themselves cannot convey their voices to the government or public in general. Civil society organizations regarding children and youth are active, for example there are popular youth organizations organizing sports or game activities, or there is, for example, a well-known organization established by a young girl to promote activities against bullying which today provide programs to schools. In schools, learning “democracy” is regarded as one of the most important philosophies, and there are various opportunities for students to raise their opinions, for example through student organizations or union, and simulated political elections by children have been mainstream activities for a long time.

Besides such civil society organizations, there are traditional humanitarian organizations whose missions are charitable and philanthropic in nature. Churches (especially the Swedish church), Red Cross, and Salvation Army are the typical of such organizations. They help people who have limited eligibility to certain public services, whose problems primarily fall out of the scope of different agencies (Socialdepartementet 1993). They provide simplistic preventative activities such as local gatherings or home visits. They work for children and families who otherwise would have only limited social contact and the participation that allows within society.

(2) Search for the present child protective system, preliminary considerations

(2. Precursor phase)

Movement to promote children's rights were already active in Sweden even before the introduction of CRC. As written in chapter 2, there were prominent Swedish figures such as Astrid Lindgren who had a strong impact on child rights protection. As stated in chapter one and three, criticism towards corporal punishment and child abuse drew attention in the 1970s, and the view of children's rights prevailed. An important point was in 1979, when a law banning corporal punishment was added as an amendment to the already existing Family Law. Voluntary child rights organizations has been playing significant roles in the movements at that time, in a good collaboration with the government, and still have strong impact on policies regarding children's rights. Such existences and collaborative structures in society have been embedded now.

Even as the welfare state took over and started more and more services, organizations fitted into the role of pioneer, always finding not yet acknowledged social problems. For example, Ersta Diakoni, a traditional social welfare organization founded in the 19th century in Stockholm, is a very rare occurrence in Sweden, which has been running a hospital, a nursing school, an elderly home and some other related businesses since. More recently, since the 2000s, it has launched several projects regarding children such as shelter homes for girls and boys, and the Children's center to listen to children's concerns directly (Ersta Diakoni 2007). Another example is Stadsmissionen in Stockholm, which has been mainly working for those in the severest of situations such as homelessness, but also specifically for children, youth, women and families at risk. Among its recent projects, there is a support project for vulnerable children (Socialdepartementet 1993).

Such traditional charity organizations working for children in need, metamorphosed into children's rights organizations in the 1970s. The 1970s witnessed a watershed movement for social services in that they increased their prominence in society. In the Swedish civil context, charity has a rather negative connotation of being merciful, thus organizations generally tend to identify themselves as a part of a universal "popular movement" (Lundström & Wijkström 1997).

(3) New systems and practices established through 1 and 2 (3. Achievement phase)

Today's systems and practices came into existence on the tail of the Swedish ratification of CRC. Based on the perspectives shown in CRC, a new system to check and improve any policies related to children have been embedded. Needless to say, the government is regularly required to submit official reports regarding how the nation secures and promotes children's rights, and also children's rights organizations have been keeping a critical eye on the situations of children. The varying levels of accomplishments, both success and failures, are described in reports such as Save the Children Sweden (2015) and BRIS (2014).

Children's Ombudsman (=Barnombudsmannen, BO)

A typical institution woven into the fabric of Swedish society is the 1993 Ombudsman for children. To make sure the Children's Rights Convention is implemented in Sweden, the government is head of an agency called the Ombudsman for Children. The agency provides information about children's rights and makes recommendations on how CRC can be conformed into Swedish laws and regulations. The children's ombudsman, listens to children and adolescents and gathers knowledge on how their everyday life is and represents the child when passing on the information to decision makers at municipal and national level. BO annually publishes official reports regarding children's issues and also gets involved in

some individual cases (Website of Children' s Ombudsman).

Civil society organizations have been playing significantly important roles to bring child rights in Sweden to the fore. Below is a list of several major and active organizations and basic information of them, obtained from respective websites:

BRIS (=Barnens Rätt i Samhället)

BRIS, Children' s Rights in Society, is a politically and religiously independent member-organization and part of CHI (Child Helpline International), a global network for children and adults, which exists to provide support and protection. When a child is abused, mistreated, has problems and needs support or advice of "knowledgeable and empathetic adults" , the child can e-mail or phone BRIS anonymously and for free. They have also run a chat room and have been constantly creating new IT-related operations to reach children, for example BRISBOT, an application where children can experience how social work consultants or investigations would proceed. During its development from the 1970s, BRIS holds a high visibility among children in Sweden. Contact information to BRIS can be easily found in school and on websites/leaflets of public agencies.

Save the Children Sweden (=Rädda barnen)

Another politically and religious independent organisation is Save the Children Fund, named Rädda barnen in Swedish. The organisation, which is international was established more than 100 years ago to support children who are in need, have been exposed to violence, have not been able to attend school, have lived in poverty, have lacked parental support, or been exposed to war and disasters. Save the Children work for children' s rights domestically also, based on CRC so that they can have a secure and healthy childhood and not be exposed to violence. Save the Children listen to children through their helpline and their own research activity, which every year lead to their publications to influence politics and the society. At a local level, besides active fund raising, voluntary members support children and families by conducting workshops at schools, helping outside school educational needs such as homework, and more.

Children' s Welfare Foundation Sweden (=Stiftelsen Allmänna barnhuset)

The Children' s Welfare Foundation was established in 1633 as a home for orphans. The foundation developed the placement of children into foster home care with a focus of the need of the child. This work was ended in the 1960s. Today the main activity of Children' s Welfare Foundations is to aim to develop knowledge

and research into the professionals, who meet these children in their daily work. They also work to affect the political agenda by arranging conferences and publishing books and reports. The foundation, having the financial wherewithal, also gives research grants and allocates project funds to various organizations and researchers every year.

(4) With regard to the newly established systems and practices, evaluation and discovery of new issues after implementation (4. Review phase)

Children's participation has been promoted in various contexts: schools, local sports or culture organizations, and youth organizations in general. Furthermore today, to hear children's voices is regarded as an extremely important factor as a way of participation. BBIC, described in Chapter 2, is one of the most typical examples of trying to have the child at the centre of a social services investigation process. Besides the shared understanding that child participation and children's rights protection has been accomplished to an appropriate extent in general in current Swedish society, rather marginal issues have recently come to light, for example children who are: in social care, under social services investigation, having parents with mental disorders or some kind of disabilities, under severe economic situation, with a refugee background (BRIS 2014).

The Swedish Government intends to make the Convention on the Rights of the Child part of Swedish law. The Swedish Government has decided to submit a proposal in July 2017 to the Council on Legislation to incorporate CRC into Swedish law. The Ministry of Health and Social Affairs has initiated a dialogue with a number of child rights organisations on the recommendations of the Committee on the Rights of the Child. It is proposed that the act enter into force on 1 January 2020 (Government Offices of Sweden 2015).

V. On databases/data archives concerned with maltreatment

1. Outline of databases / data archives on maltreatment (i.e.: items, methods, indicators for assessment & evaluation)

The official annual statistics is "the number of police reported child maltreatment cases" published by BRÅ (The Swedish National Council for Crime Prevention/ Brottsförebyggande rådet), an agency under the Ministry of Justice. The results are shown in two categories: children aged: 0-6 years old; and 7-14 years old. Child maltreatment represents only a part of the BRÅ statistics, as a type of violence in society in general.

The statistics on child death cases have been recently published by the National Board of Health and Welfare, NBHW/Socialstyrelsen. NBHW (Socialstyrelsen,

2010) shows the number child death by neglect from 1970 to 2010. Furthermore, there are statistics on the number of children who died or received medical treatment (either as outpatients or inpatients), drawing on data from from three different databases: Cause of death registry, patient registry, and Injury Data Base (=IDB Sverige), to calculate an average number of deaths per year (Janson et al. 2011:60).

Except for the abovementioned, no such official databases on child maltreatment in Sweden exists. However, it is notable that several large-scale national surveys mainly related to corporal punishment, have been conducted even from the pre CRC period in Sweden. The national Swedish surveys were carried out in 1980, 2000, 2006, and 2011 (Janson et.al.2011). They are not particular databases exclusively on child maltreatment per se, but more comprehensive surveys including for example the attitudes towards corporal punishment through interviews/questionnaires to both parents and children. Though the data collection methods and contents differed to some extent each time, the four surveys basically covered the same issues. The results of the surveys show a sharp decrease of corporal punishment between 1980 and 2000, and no major changes after that.

As well as those official statistics provided by government bodies, there have been a number of statistics provided by other agencies such as active child rights' organizations and researchers in the field. Statistics and proposals in the reports of such organizations are frequently referred to by government bodies.

Major findings from the database or statistics regarding child maltreatment above can be concluded that: 1) Prevalence and public tolerance to corporal punishment has sharply decreased since 1980 with no recent changes; 2) Police reports have been increasing over the years especially after the 1990s, but, which, however do not necessarily point to an increase in actual maltreatment; 3) Severe child maltreatment cases have decreased and remained so.

2. Analysis of the developmental cycle of databases/ data archives concerned with maltreatment

(1) Background, Events, incidents, public opinion etc. leading to the present system (1. Social discovery phase)

Historical backgrounds of the current surveys regarding child maltreatment are described in Janson et.al. (2011), Jernbro (2015), BRÅ (2015), and Socialstyrelsen (2001). Major surveys before the 1970s are listed as follows:

- Statistics on legal cases regarding violence conducted since the 1830s, leading to the current statistics by BRÅ.
- Solna-studien, 1954-1968. Longtime study on children's health and life situations. Questions regarding corporal punishment were included with regard to a wide range of questions on child upbringing.

- The National Board of Health and Welfare's investigation of child fatality rate as a result of child abuse after hospital treatment during 1957–1966 (Socialstyrelsen).
- A number of smaller investigations concerning child abuse have been performed since the 1960s.

From these studies, it is obvious that the mid- 20th century's social awareness against violence or corporal punishment to children developed much earlier in Sweden, compared to other countries.

**(2) Search for the present child protective system, preliminary considerations
(2. Precursor phase)**

The time of the world-first Swedish 1979 introduction of the corporal punishment ban can be regarded as the precursor phase to the present (after the 2000s) system. Major national surveys during that time are listed as follows:

- Report "Maltreated children" (=Barn som far illa) of 1974, published by the National Board of Health and Welfare/Socialstyrelsen and Allmänbarnhuset, focusing specifically on the social backgrounds to child maltreatment.
- SUSA-study 1980. It is the first representative national study, following the introduction of Swedish law banning corporal punishment, to grasp the situations of child rearing and corporal punishment at home. This survey has created the fundamental basis of all national surveys since then, i.e. the three large-scale national surveys (2000, 2006 & 2011). SUSA-study 1980 consisted of two parts: parental studies and children studies.
- Parental studies has been using the same methodology since the first survey in 1980, which conducted interviews with 1105 families. The Conflict Tactic Scale methodology, originally created by an American researcher, quantified the conversations brought about by talking in general about family matters, and thereafter about potential conflicts in upbringing situations.
- BRÅ- The Swedish National Council for Crime Prevention (Brottsförebyggande rådet). It is an agency founded in 1974 under the Ministry of Justice, and a centre for research and development within the judicial system. Brå primarily works to reduce crime and improve levels of safety in society by producing data and disseminating knowledge on crime and crime prevention work. The Council also produces Sweden's official crime statistics, evaluates reforms, conducts research to develop new knowledge and provides support to local crime prevention work. Children make up only a small part of their assignments regarding violence or crime. The results of Brå's work are a basis for decision makers within the judicial system, the Parliament and the Government. Brå often works in collaboration with other organisations and public sector agencies. The assignment of statistics regarding the rights was shifted from SCB (Swedish

National Statistics Agency) to BRÅ in 1995. In a number of Brå' s publications, child maltreatment has been focused with data in detail (age, gender, inside/outside home, hospital visit) for example in Granath (2012).

Even with the above-mentioned development of the surveys and statistics, it has always been difficult to grasp the actual numbers and conditions. The definitions and notions of child maltreatment are broad in Sweden and not clearly written in the law. Also, the development of decentralization has been a reason for difficulties in creating a unified national database. Actual incidents are not only reported to and treated by the police, but many cases have been dealt with by municipal social services, which vary widely from municipality to municipality. Adding to the efforts to acquire knowledge and data in order to prevent child maltreatment, the privatization trend since the 1990s has accelerated the expansion of national statistics to compare public services among the municipalities including social services for children and youth.

(3) New systems and practices established through 1 and 2 (3. Achievement phase)

Significant reports and statistics regarding child maltreatment were published around the year 2000, which characterize the time as a time of a shift for the new stage. First, the official committee on child abuse from 1998 to 2001 (Kommittén mot barnmisshandel/ National committee on child maltreatment), provided several important official statistics and reports with far-reaching perspectives. One of the committee' s final reports, titled as "Children and maltreatment" (SOU2001:18), embodied an all-inclusive approach: history, trends since the 1950s and the current situations. Another of the final reports was "Child maltreatment -Prevention and measures" (SOU 2001:72)", which is a comprehensive and most significant study in this field by providing a clearer definition of child maltreatment, summarizing the changes until 2001 in various aspects, and making a number of proposals to actual social policies. This study is also characterized by a wide collaboration of: ministries of social welfare and laws, local municipalities, professionals in law, health and medical care, and even labour unions.

The committee' s major task was to investigate the reasons for the rapid increase of police reports during the 1980s and 1990s. Several surveys were conducted such as interviews to parents and questionnaires to 9th grade students and to the 20-year-olds. Questionnaires to children ask students and adolescents about experiences of physical punishment in the 1990s. Also in 2000, BRÅ published a report "Child maltreatment. A mapping of police reported maltreatment cases of young children" .

After these studies, it is often claimed in Sweden that reporting rates are not equivalent to rates of actual abuse, since it is strongly tied to shifts in public awareness. Some studies strongly state that prevalence of child physical

assault, around three on average per year, is pretty low in Sweden compared to other countries. (Joan E. Durrant, 2003). Present Swedish statistics on maltreatment basically consists of the following six categories as far as the authors could summarize:

BRÅ -number of police reported cases

The main annual official statistics until today have been “the number of police reported child maltreatment cases” published by BRÅ (=Crime Prevention Council). The data is shown in two categories: children aged 0–6 years old, and 7–14 years old. The database is consistent but the data is categorized as, for example, perpetrators and victims; level of severity of cases, and does not intend to analyse the specifics of the individual cases. Statistics of BRÅ (2017) show the number of police reported cases in 2016 regarding child maltreatment, which was 23,700 (0–17 years), 4,300 out of which were related to 0–6 years. The number of reported cases has increased by 35% from 2008. However, it is important to note that a large proportion of that regarding children aged 7–14 relate to violence in school.

Large-scale surveys in collaboration with government, organizations, and researchers

Although not carried out regularly at the national level, there have been some large-scale surveys conducted by public agencies, private voluntary organizations, and researchers. Jernsen (2015) refers to three successive national surveys of child maltreatment (2000, 2006 and 2011) in her Ph.D. dissertation.

In 2000, the government committee in collaboration with Statistics Sweden (SCB) conducted three types of questionnaire surveys to: student, parents, and 20 year-old citizens (2500 persons) regarding their experiences and perspectives on violence. Additionally, interviews to 358 persons, (including 66 persons having the experiences of being maltreated in their childhood) were conducted for more qualitative research. In 2006, a national survey of child maltreatment was conducted, where 2,510 pupils in grades 4, 6 and 9 from 44 schools in Sweden were included. The results were analysed including the aspect of the economic situations of children's households. In 2011, another national survey, where 3,202 pupils in grade 9 from 92 schools in Sweden, were analysed. This was conducted by Karlstad University and Stiftelsen Allmänna Barnhuset, a voluntary organization.

The statistics on child death cases were first published by the National Board of Health and Welfare, NBHW/Socialstyrelsen in 2010, according to the law relating to investigations of that type. NBHW (Socialstyrelsen 2010) shows the number of child deaths by neglect from 1970 to 2010. Furthermore, there are statistics on the number of children who died or received medical treatment

(either as outpatients or inpatients), drawing on data from three different databases: Cause of death registry, patient registry, and Injury Data Base (=IDB Sverige), to calculate an average number of deaths per year (Janson et al. 2011:60). Also in Sweden, there is a study on all the fatal cases of children under 15 years old during the period 1965–1999. Furthermore, several large-scale surveys regarding the prevalence of violence to children to death have been conducted for a considerable length of time. The survey shows that about 7 children per year on average are maltreated resulting in death by their parents, which has remained unchanged. This statistic is echoed by another earlier survey conducted between 1971–1980, and statistics regarding violence in the National Board of Health and Welfare/Socialstyrelsen (2004).

Reports and Statistics from the Child Ombudsman

The Child Ombudsman has been one of the important bodies to address public debate and parliamentary motions. It annually publishes the data acquired through its consultations with children who have reached out to it individually. As well as this, it publishes reports on a wide variety of themes, with child maltreatment as a recurrent issue. Children in care was the theme of 2013 ombudsman's annual report, titled "Behind the facade (=Bakom fasaden)" (2013), also children who were exposed to violence in close relationships became the theme of the 2012 report, titled "Signals".

On the website of the Children's Ombudsman, there is a specific area dedicated to statistics regarding children and youth from SCB, Statistics Sweden. Many themes and variables, for example, "ratio of children in social care" or "ratio of children exposed to hard economic situations" can be chosen and be easily compared among various municipalities. Basic information regarding the convention of child rights on the Child Ombudsman's website can be accessed in English, sign-language, easy-Swedish, and also in various minority languages: Finnish, Yiddish, Tornedalian Finnish, Arli Romani, Kale Romani, Lovara Romani, Lulesami, Northsami, and Southsami.

Reports from children's rights' organizations

Two socially established and well-recognized child rights' organizations, BRIS and Save the Children Sweden (Rädda Barnen), frequently publish reports regarding child abuse, which have had a marked impact on social policies and public opinion.

BRIS has published a number of reports on violence, maltreatment and various other children's rights violations. "Violence against small children (=Våld mot barn)" in 2010 showed the presented data and criticized the inadequacy of police work. "Bris rapport 2014" describes a wide range of life difficulties including family conflict based on the data of BRIS' own support activities. BRIS also

published a report “Bris tilläggsrapport till FN 2014” pointed out as yet to be actioned Swedish public policies from the perspective of CRC. Save the Children Sweden has published reports with statistics notably for example, “Child maltreatment- everyone must know” of 2010.

Statistics on the use of support and services

The data which NBHW (Socialstyrelsen) annually publishes, and differs from police generated data, directs the focus of their work differently, being more concerned with the amount of access to their services (mainly 24-hours social care). As already mentioned in the earlier chapters above, Socialstyrelsen how detailed data on the services actually used, both 24-hour social care and other types of services, in for example, “Statistics on Municipal Family Counselling in 2015” , “Statistik om socialtjänstinsatser till barn och unga 2014” , “Indiv- och familjeomsorg - Lägesrapport 2016” and more. However, data collections are not always consistent, recently for example NBHW/ Socialstyrelsen has started to use individual data with personal number from 2014.

(4) With regard to the newly established systems and practices, evaluation and discovery of new issues after implementation (4. Review phase)

After 2000, no major database changes have been noted regarding child maltreatment in Sweden. However, previously atypical of child and family care, quality evaluation and comparison have become more of a trend influencing all public services since marketization became the norm. Open comparison, Öppna jämförelse, is such a kind of annual comparison published by SKL, the Swedish national confederation of municipalities and county councils. The comparative results are shown in three different ways: questionnaire data; new indications regarding education and health status of children in care. Nevertheless, there have appeared newer methodologies to handle cases and collect data. For example, regarding the investigation of child-maltreatment cases, “Barnhuset” has recently been used as a way professionals listen to the child (Landberg & Svedin 2013).

In 2005, a change to the law regarding the definition of sexual violence was introduced. Thus, renders data pre and post 2015 as incomparable with each other. The national documentation system, BBIC, introduced in 2006, has succeeded in hearing more children in the process of professional investigations, but interestingly has no intention of pooling data at the national level.

VI. Implication (including “lessons”)

This chapter shows several implications which Japan can learn from. The following four points outline these.

1. A wide range of preventative support and services for child and family

Abundant support and services for child and family basically have a root as a part of the Swedish welfare state's universal policies (healthcare and child care) over the latter part of the 20th century, and derives not from a reaction to the recent child abuse issue. With this background, there is an extremely wide range of preventative support and services for children and families, even in the field of social services. It is important to notice that child protection issues are recognized in a broader sense by using the terms such as children and families in need, at risk, or vulnerable, in the Swedish context.

In comparison in Japan, child protection seems to have become synonymous with child abuse i.e. how to protect children from their abusive parents and methods of 24-hour care. There is still very limited support provided by the authorities, either the child guidance centre or the municipality, in as much as the child stays at home even if the situation is quite serious. More preventative support and services should be provided to support children and families at home before they are referred to 24-hour social care as the last resort. To begin with, to recognize and define children and families "in need" or "at risk" in a broader sense should be prioritized, then actual support and services can be worked into public policies. Japan can learn methodology of how to provide preventive care from other countries including Sweden.

2. Focus on social services investigation and administration

Sweden differs from Japan in that, the greater focus is given over to social work administration and investigation, whereas in Japan practicality of actual measures taken in social care takes precedence. When child protection is discussed in Sweden, it is mainly centred on how social services (social work) investigations and administrations should be structured. The majority of social workers working with children are working for municipal social services.

Contrastingly, in Japan, discussion regarding child protection since the 1990s has been mainly restricted to enlightening the public on child abuse, and 24-hour social care. In the last 25 years, the public has certainly become much more aware of child abuse, with some improvements being introduced in social care institutions (children's homes). However, any in-depth discussion on "child protection social work" has been unfortunately lacking. The fundamental problem of not employing enough professional social workers either at municipal (municipal child and family support) or prefectural (child guidance centre) level needs to take more precedence. It is now obvious that traditional child guidance centres are not capable of coping with current issues of child protection and child abuse in the same manner as they have done since the end of the World War II. It has become apparent that child protection social work ought to be carried out on a

smaller scale at a local level and managed by more professional social workers.

3. Rights-based universal social welfare policies

Any child-related issues including child protection can be clearly and thoroughly traced directly to children's rights in today's Sweden. Children's rights perspectives have been assimilated into society in a short time, since the Swedish welfare state has been taking "rights-based" universal social welfare policies as its foundation since the early 20th century as its main premise. The current era sees the realization of children's rights from various methodologies. One of the latest of these is how to hear children's voices. With regard to child protection, BBIC has been introduced in the process of social services, as another way of hearing children's voices.

In contrast in Japan, due to the differences in historical and cultural backgrounds including the different orientation of the welfare state, the idea of rights has hardly taken root in Japanese society in general. There are, however, several notable examples to support children at risk, although they do not officially align themselves with children's rights. More emphasis should be placed on the individual reality of children, rather than bureaucratic processes involved.

4. Multi-layered system of protecting children's rights

In Sweden, the fact of the Children's Ombudsman and several children's rights organizations, having a powerful impact in the society, is globally extremely unique. Although Sweden is regarded as one of the most advanced countries regarding protecting children's rights from the CRC perspective, there are various agencies to discover children's voices in difficult living environments and to promote the improvement of public policies further. Such voluntary organizations are characterized as being: independent from public agencies, structured as umbrella organization, and having achieved positive public recognition. The organizations set a clear line of distribution of roles between the public agencies, which are responsible for children and family in need or at risk, especially in the actual provision of services.

In Japan, there are various local grass-roots voluntary organizations working hard for children, however, most of them are organizationally and financially weak. Such organizations have difficulties in increasing their name recognition and social impact, even if they are greatly contributing to society. On the other hand, there are rather stable organizations regarding children's rights protection, however, many have strong connections with the government because of financial support. Organizations with more third-party character and social recognition would be needed to really reach children and parents at risk. Furthermore, a neutral public sector agency with power similar to the Swedish

Ombudsman should be set up to hear children' s voices.

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