



Western Norway  
University of  
Applied Sciences

# Professional Understanding and Assessment When Children Are Living with Parental High Conflict

Inger Kristin Heggdalsvik

Thesis for the degree of Philosophiae Doctor (PhD) at  
Western Norway University of Applied Sciences

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of Applied Sciences

Date of defence: 04.09.2023



Illustration: Media Lab, – Western Norway University of Applied Sciences

DEDICATION

*To my mom*

Thank you for always encouraging me to explore and learn!

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# Scientific Environment

I wrote this thesis while employed as a PhD candidate at the Western Norway University of Applied Sciences, Faculty of Health- and Social Science, Department of Welfare and Participation and affiliated with the Social Work Education programme.

The thesis commenced as an R&D project. From August 2020 until the spring of 2022, I was working fulltime on my PhD. At that time, I was a member of the Law, Democracy and Welfare and the, - Mental Health and Substance Abuse research groups and the University and College Network for Western Norway, Child Welfare Research Group.

In September 2020 I started attending the Research School of Municipal Healthcare Services (MUNI-HEALTH-CARE). The Research School is partnered with the University of Oslo, University of Bergen, Western Norway University of Applied Sciences, UiT The Arctic University of Norway, OsloMet, Norwegian University of Science and Technology (Gjøvik division) and Nord University.

# Acknowledgements

As I initially commenced my PhD studies as a R&D project, subsequently completing them on a full-time basis over the past two years, there are many people I need to thank for their support at different stages in the realisation of this project.

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Undoubtedly, those who know me, will not be surprised that an illustration has been created for this PhD project. I would like to thank Mauricio Pavez at the Media Lab for his efforts to create a project illustration according to my description.

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## Abstract

**Introduction:** This thesis explores how professionals at family counsellor services and child welfare services in Norway understand and assess children at potential risk of care failure when involved in parental high conflict. Enduring parental high conflict presents a significant challenge in terms of assessment and deciding how best to help individual children, parents and families. Studies show that professionals find it challenging and difficult to meet with children, parents and families involved in parental high conflict. Research on such cases at the intersection of family counsellor services and child welfare services is sparse.

**Aim:** The overall aim of this thesis is to help improve the understanding of and gain knowledge about how professionals understand and assess parental high conflict. The overarching research question is as follows: *How do professionals in family counsellor services and child welfare services understand and assess enduring parental high conflict?* This research question has been explored in three articles.

**Method:** The research question has been approached by analysing survey data and focus group interviews. The analyses are mainly qualitative, although there is an element of quantitative analysis in Article I. A qualitative design has been chosen to explore professional discretion and thus gain deeper insight into the understanding and assessment of the risk to children entangled in parental high conflict. Data was gathered through a survey of Norwegian family counsellor services (n=115) and through focus group interviews with a total of twelve participants from family counsellor services and two focus group interviews with a total of twelve participants from child welfare services. The three empirical articles in this thesis approach the overarching research question by exploring and discussing the professionals' understanding and assessment in the light of different perspectives.

**Findings:** Article I in this study explored how professionals in Norwegian family counsellor services assess care of the child when the parents are involved in enduring parental high conflict. In the analysis, the following five categories were identified: 1) consequences for the children, 2) competence of the parents as caregivers, 3) participation of the child and the child's perspective, 4) shared custody

and 5) duration and level of conflict. However, the family counsellors' reasoning differed with regard to their assessments and whether they assessed the risk to the children as high or low. They also differed in their considerations of whether they should report the situation to the child welfare services.

Article II, sought to explore the considerations of Norwegian professional family counsellors when handling parental conflict where children are at risk of maltreatment due to parental conflict. Four themes emerged as potential solutions for family counsellors: 1) expanded efforts in family counsellor services, 2) external low-threshold services, 3) legal proceedings and 4) whether or not to notify to child welfare services. The findings in Article II show that family counsellors are concerned about children involved in parental conflict, but this concern does not necessarily manifest in reporting to the child welfare services. The findings show that the family counsellors prefer to utilise their own services and that of other stakeholders in such situations.

When analysing how the professionals understand and experience parental high conflict in Article III, the following themes were identified: 1) unclear definition of high conflict, 2) conflicting agendas cause stress in the family system, 3) being a professional working with high conflict, and 4) calls for more knowledge and resources, and a transdisciplinary approach. The analysis shows that the professionals seem to be easily entrapped in parents' conflict-based system, and that feelings of powerlessness and exhaustion often arise when they are trying to help children and parents. Unclear interpretations and understandings of the phenomenon of high conflict also complicate assessments and the ability to help.

The overall findings reveal that professionals show concern for children entangled in parental conflict. It is felt that parental high conflict is difficult to assess, and professionals struggle to take appropriate measures from within their services. The child's best interest is an overarching principle of family counsellor services and child welfare services, but the different mandates, jurisdictions, analytical perspectives and types of institutional logics affect how children, parents and families are assisted.

**Conclusion:** This study argues that parental high conflict is a complex and wicked problem due to its intricate nature. As multiple components and mechanisms are involved in parental conflict, professionals cannot approach it as a situation of enumeration phases in order to understand and assess it. Although the professionals have all the best intentions, they struggle to offer adequate help. Because the jurisdictions, mandates and institutional logics vary, the demands for action also vary. The professionals in different services can be seen as exemplifying silo thinking and, in this way, unintentionally cause further escalation of a parental high conflict and revolving-door effects at the same time as entangled children's lives passes by. The study concludes that it is time to think beyond silos and adopt a transdisciplinary perspective to reflect more broadly on parental high conflict and how to assist children and families more adequately, due to the complexity of the phenomenon.

# Abstrakt

**Introduksjon:** Denne avhandlingen utforsker hvordan profesjonelle ved familievernkontor og kommunale barneverntjenester i Norge forstår og vurderer situasjonen til barn som er i risiko for omsorgssvikt på grunn av vedvarende og høyt konfliktnivå mellom foreldre. Studier viser at disse familiesituasjonene er utfordrende for profesjonelle å vurdere og å iverksette hensiktsmessig hjelp tilpasset barn, foreldre og familier. Forskning på disse sakene som ligger i skjæringspunktet mellom tjenester fra familievernkontor og tjenester fra kommunal barneverntjeneste er sparsomt.

**Mål:** Overordnet målsetting for denne avhandlingen er å bidra til økt forståelse og kunnskap om hvordan profesjonelle forstår og vurderer høyt konfliktnivå mellom foreldre. Overordnet forsknings spørsmål er: *Hvordan forstår og vurderer profesjonelle ved familievernkontor og kommunale barneverntjenester vedvarende høy konflikt mellom foreldre?* Forsknings spørsmålet har blitt utforsket i tre artikler.

**Metode:** Forsknings spørsmålet er besvart ved å analysere data fra en survey og fokusgruppe intervju, og analysen er hovedsakelig kvalitativt orientert. Det er et element av kvantitativ analyse i artikkel I. Et kvalitativt design er valgt for å utforske utøvelse av skjønn for å oppnå dypere innsikt i forståelse og vurdering av risiko for barn som lever med vedvarende høy konflikt mellom foreldre. Datamaterialet ble generert gjennom en survey til ansatte ved familievernkontor i Norge (n=115) og det er gjennomført to fokusgruppe intervju med totalt tolv ansatte ved to familievernkontor og to fokusgruppe intervju med totalt tolv ansatte fra to kommunale barneverntjenester. Avhandlingens tre empiriske artikler har ulike tilnærminger for å belyse overordnet forskningsspørsmål.

**Funn:** Artikkel I i denne studien utforsket hvordan profesjonelle ved familievernkontor vurderer omsorgssituasjonen for barn når foreldre er i høykonflikt. I analysen ble det identifisert følgende fem kategorier: 1) konsekvenser for barna, 2) foreldrenes kompetanse som omsorgspersoner, 3) barns deltakelse og

barnets perspektiv, 4) delt bosted og 5) varighet og nivå på konflikten. Studien viste en variasjon i Familieterapeutenes begrunnelser for deres vurderinger og om de vurderte risikoen for barnas omsorgssituasjon som høy eller lav. Det var også variasjon i deres vurderinger hvorvidt de skulle melde situasjonen til barnevernet eller ikke.

Artikkel II utforsket familieterapeutenes vurderinger i møte med barn i risiko for omsorgssvikt på grunn av foreldres konflikter. Fire tema ble funnet som mulige løsninger å falle ned på for familieterapeutene: 1) utvidet hjelp i egen tjeneste, 2) eksterne lavterskel tjenester, 3) rettslig fremskritt, 4) Hvorvidt en skal melde til barneverntjenesten eller ikke. Funnene i Artikkel II viser at familieterapeutene er bekymret for barn som er involvert i foreldrenes konflikt, men denne bekymringen ender ikke nødvendigvis opp med en bekymringsmelding til barneverntjenesten. Funnene viser at familieterapeutene foretrekker å finne løsninger innenfor egen tjeneste eller hos andre tjenester i denne type situasjoner.

I analysen av hvordan de profesjonelle forstår og erfarer høy konflikt mellom foreldre i Artikkel III ble følgende tema identifisert: 1) uklar definisjon av høy konflikt, 2) konfliktfylte agendaer forårsaker stress i familie systemet, 3) å være profesjonell i arbeid med høy konflikt og 4) behov for mer kunnskap og ressurser samt en transdisiplinær tilnærming. Analysen viser at de profesjonelle raskt blir trukket inn i foreldrene sin konflikt og at følelser av maktesløshet og utmattelse ofte oppstår når de profesjonelle skal forsøke å hjelpe barn og foreldre. Uklar tolkning og forståelse av fenomenet kompliserer også vurderinger og muligheten for å hjelpe.

Overordnede funn fra studien viser at de profesjonelle viser omsorg for barn som er involvert i foreldrekonflikter. Høykonflikter mellom foreldre oppleves som vanskelige å vurdere og de profesjonelle strever med å iverksette hensiktsmessige hjelpetiltak. Vurderinger i henhold til barnets beste er et overordnet prinsipp for profesjonelle ved familievernkontor og barneverntjenester, men ulikheter i mandat, lovverk, perspektiv som bakgrunn for analyser og institusjonelle logikker utgjør en forskjell i hvordan de profesjonelle hjelper barn, foreldre og familier.

**Konklusjon:** Denne studien argumenterer for at høykonflikter på bakgrunn av sin kompliserte natur kan forstås som komplekse og sammensatte problemer. På bakgrunn av en rekke komponenter og mekanismer så kan ikke høykonflikter mellom foreldre forstås av profesjonelle som situasjoner som kan løses som faser i en gitt rekkefølge. Selv om de profesjonelle har de aller beste intensjoner, så strever de med å tilby adekvat hjelp. På grunn av at lovverk, mandat og institusjonelle logikker varierer, så varierer også muligheten for å iverksette tiltak. Profesjonelle i ulike tjenester kan på denne måten forstås som at de bidrar til silo tenkning, og dermed utilsiktet forårsaker eskalering av foreldres konflikt, samt at de er med på å skape en svingdørs effekt der tid er verdifull i involverte barns liv. Gitt kompleksiteten i fenomenet høykonflikt, konkluderer denne studien med at det er tid for å tenke utover silotenkning og foreslår et transdisiplinært perspektiv for å reflektere bredere rundt fenomenet og hvordan hjelpe barn og familier bedre.

# List of Publications

**Article I:** Heggdalsvik, I.K. (2020). Fastlåste foreldrekonflikter. En analyse av familieterapeuters skjønnsutøvelse i saker med høy konflikt (Deadlocked parental conflict. An analysis of family therapist's discretionary practice in high conflict cases). *Fokus på familien*, 48(2), 74 - 95.  
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**Article II:** Heggdalsvik, I.K., & Samsonsen, V. (2022). Family counselors' professional assessments when children are at risk due to enduring parental conflicts. *Journal of Family Trauma, Child Custody & Child Development*, 2(19), 181 - 200.  
<https://doi.org/10.1080/26904586.2022.2049464>

**Article III:** Heggdalsvik, I.K., Lorås, L., & Samsonsen, V. (2022). High Conflicts as Wicked Problems from the Perspective of Family Counsellor and Child Welfare Services in Norway. *Australian and New Zealand Journal of Family Therapy*, 43(2), 275 - 288. <https://onlinelibrary.wiley.com/doi/10.1002/anzf.1494>

*Reprints of Article I are provided with the permission of the editors of Fokus på familien. A translated version of Article I is attached for the purpose of this thesis.*

*Article II has been published open access.*

*Article III has been published open access.*

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# 1. Introduction

*Irina and Kristian are the parents of Igor 15, Marina 11, Anna 9 and Emil 6. Two years ago, Irina and Kristian attended a mediation interview at the family counsellor services when they had been living apart for six months. Kristian contacted the family counsellor services because Irina was preventing him from seeing his children. Kristian said he had moved out because he could not handle their marriage anymore. It was agreed at the time that Irina would have day-to-day custody of the children in view of Kristian's work situation. Kristian has now contacted the family counsellor services again. According to Kristian, Irina claims that "as a mother she owns the children" and no one should come and tell her how to raise her children. Kristian is in despair because neither he nor his parents are allowed to see the children. Since the divorce papers were signed, the situation has deteriorated. Kristian is afraid that Irina could leave Norway at any time, and taking the children to Ukraine where she is from. Irina has threatened to do so several times. Kristian is also worried about his children because he has heard from neighbours that they are not doing well at school. The children are referred to as appearing pale and apathetic. In order to contribute to the children's upbringing, Kristian says he must retain to his job as a long-haul driver. This means he is away from home for extended periods. Kristian says he is convinced that Irina tells the children he is not interested in them and that they are being manipulated into thinking that he does not care about them.*

*(One of four vignettes included in the survey in 2015)*

Although having a relationship with both parents is considered valuable for a child, this relationship can lose value or even become a burden if conflict between the parents affects their caring abilities (Gulbrandsen et al., 2018). A family is often referred to as a safe haven, and it can be, but it can also be a major battleground (Asen & Morris, 2020). Exposure to parental conflict is independent of whether the parents live together, have never lived together or have split up (Amato, 2010; Rød, 2010). Parental conflict is even more unfortunate if it lasts for long periods of time and conflict becomes characteristic of the parents' relationship (Moxnes, 2003). While partners can break up and end their relationship, in the role of parents they will always be connected in one way or another. Studies show that professionals find

parental conflict complex and challenging to assess. They struggle to intervene and to find constructive services that will help the children and families concerned (Jevne & Ulvik, 2012; Kosher & Katz, 2022; Olkowska et al., 2020; Saini et al., 2019; Sudland, 2020; Ådnanes et al., 2011).

Research shows that deadlocked parental conflict can lead to child maladjustment to the degree that the children affected may need professional assistance in adulthood to recover from their childhood experience. This means that children exposed to parental conflicts are not only at risk of a range of emotional and behavioural challenges but also at risk of effects on their health throughout their lives (Ahrns, 2007; Getz et al., 2011; Lacey et al., 2014). Children's experiences of growing up with enduring parental high conflict can affect their participation and functioning in areas such as education, work, and social life. Parents, as the child's closest caregivers, are the child's core "environment". According to the World Health Organization's International Classification of Functioning, Disability and Health (ICF) (World Health Organization, 2002), the early experiences of childhood have consequences that are of great importance for living conditions. Seen from this perspective, parents are central "contextual factors" in children's lives and in guiding children to develop the ability to adapt and self-manage (Huber et al., 2011; Rosenbaum & Gorter, 2012). If we understand health and well-being to mean an ability to draw upon multiple resources to deal with expected and unexpected life challenges (Huber et al., 2011), then parents represent possibilities for and constraints upon their children. They partially regulate access to health promoting activities and arenas, and to a large extent they also regulate access to social arenas and friendship. From a life course perspective, we know that the experiences of childhood are of the greatest importance and value when it comes to physiological, psychological and socially anchored resources, which can be affected by illness, coping mechanisms, life course and living conditions later in life. These matters are in line with the proposal by Huber et al. (2011) that health is the ability to adapt and self-manage.

Nelson Mandela reputedly stated "There can be no keener revelation of a society's soul than the way in which it treats its children" (Crwys-Williams, 2012).

Accordingly, the ways in which children's services develop and increase the requirements for professionals to understand their particular role and enhance their work within their organisational system are of fundamental importance. This activity needs to be understood and reflected upon within the context of statutory duties, agency requirements and the needs and wishes of service users (Walker, 2012).

In view of the expectations inherent in parents' responsibility to provide for their children's well-being, a key question for professionals is how to face the challenges of children and families involved in parental high conflict. When children need help, their welfare becomes a question of professional assessment and discretionary reasoning. This thesis asks how professionals understand and assess the phenomenon of parental high conflicts. Of particular interest is how professionals understand the situation of involving the individual child and family. Also of interest is how professionals understand and assess a parental conflict and the consequences the conflict is expected to have for the child and the parents' parenting capacities.

## **1.1 Thesis Structure**

This thesis consists of six chapters. Each chapter starts by outlining and clarifying its content. Chapter 1 provides an introduction to the research project. The contextual framework and clarification of the central concepts are presented in relation to the research questions raised in the thesis. In Chapter 2, the methodology and research design are presented, as well as the methodology understood in terms of the philosophy of science, ontology, epistemology, me as researcher and the methods of data collection. An overall consideration methodology and ethics is included here. Chapter 3 presents the theoretical framework of the project. Chapter 4 presents the findings of the three published articles. As each article's findings are discussed in the published articles, Chapter 5 offers an integrated discussion of the overall findings of the three articles. Finally, Chapter 6 presents concluding comments, implications for practice, limitations and suggestions for future research.

## **1.2 Contextual Framework**

This section will elaborate on the contextual framework of this study. Key jurisdictions and concepts will be clarified. Research findings as to previous studies will be presented at the end.

This study was conducted in Norway, where child and family public services are organised as part of the overall welfare state. Norway is a nation with a strong element of control, where public services have the authority to make intrusive interventions into family life (Helland et al., 2022; Syltevik, 2017). Norway is one of the few countries that have mandatory mediation when parents break up, which is framed in article 51 of the Norwegian Children Act (1981). The child welfare system (CWS) is broader in scope than the child protection systems of other, more liberal countries (Connolly & Katz, 2019; Parton, 2017). Three services have been given an extraordinary responsibility for children potentially at risk of care failure due to enduring parental high conflict, these services being: 1) the family counsellor services, 2) the child welfare services and 3) the district courts. Professionals in the other public services, such as nurseries, schools, healthcare and so on, have an obligation to report their concerns, but the mandate and/or jurisdictions of their services does not include intervening in a family's private sphere. In this thesis, I will focus on the family counsellor services and the child welfare services and the intersection between them.

### **1.2.1 Jurisdiction**

The Norwegian family counsellor services (FCS) are the primary service for families with relationship problems and for conflicts between couples and within families. The service, which is regulated by the Norwegian Family Counsellor Services Act (1997) is a low-threshold service intended to help couples and parents that are in crisis or unable to resolve their conflicts. The FCS is meant to help reduce conflict, promote parental cooperation and direct attention towards children's needs. The FCS can give advice on recurring issues of conflict where the Children Act does not make provisions for their resolution. Norway is one of few countries to have decided on mandatory mediation when parents break up, in accordance with article 51 of the

Children Act (1981). The FCS can offer this mandatory mediation. Furthermore, enduring parental high conflict affecting the care of children may trigger the FCS's duty to report to the child welfare services (Ministry of Children Equality and Inclusion, 2013).

The main task of the Norwegian child welfare services (CWS), as regulated by the Norwegian Child Welfare Act (2021), is to ensure that children and adolescents living under conditions potentially harmful to their health and development receive the necessary help at the right time. The child welfare services are the children's "safety net" in terms of protecting the children in need of these services. The Ministry of Children and Families has placed a greater burden of responsibility on the child welfare services in respect of family conflict, and guidelines have been established for tighter collaboration between the child welfare services and family counsellor services. The focus has been on identifying and investigating problems at the intersection of the Children Act (1981) and the Child Welfare Act (2021). Among other things, this raises questions about the respective areas of responsibility of the child welfare services and family counsellor services, and the extent to which the public authorities are responsible for children.

### **1.2.2 The Child's Best Interest**

Norway in common with most other countries (apart from the USA), has assumed an overall obligation to safeguard children through the ratification of the United Nations Convention on the Rights of the Child (CRC) (1989). The focus of the article 3 of the CRC is the best interest of the child, which is to be given primary consideration. At the same time, children's rights and interests are to be balanced with parents' interests and their rights to privacy and a family life, in accordance with article 8 of the European Convention on Human Rights (1950).

In addition to being the focus of the CRC, the child's best interest is also a key aspect of Norwegian law regarding children. In 2014, the following wording was included in article 104 of the Constitution of the Kingdom of Norway: "For actions and decisions that affect children, the best interests of the child shall be a fundamental



consideration” (1814). The Child Welfare Act (2021) refers to consideration of the best interest of the child in article 1-3. Overall, the principle can be understood as ensuring that, where decisions and actions affect children, primary consideration is given to what is best for the unique child. In addition to being fulfilled as a jurisdiction, the principle is central to the professional’s discretionary reasoning. The child’s best interest is a normative, dynamic and evolving concept, the content of which is continually being discussed, both nationally and internationally, in terms of how to understand and fulfil the principle (Krutzinna, 2022; Melinder et al., 2021).

In this thesis, the principle of the child’s best interest is examined in relation to professionals exercising discretion and fulfilling the principle at the intersection of the two services designated to assist children, parents and families involved in enduring parental high conflict.

### **1.3 Concept Clarifications**

Several concepts have been engaged in this project. In the following section, I will clarify my understanding of the central concepts that I have chosen as a foundation and framework for the analysis and interpretation of findings.

#### **1.3.1 Family Life**

The family as an institution has changed over the course of history, and new terminology has arisen to refer to new variations. Although there are changes in how a family may be organised, it is clear that the family still meets essential needs and long-term relationships are still important (Vedeler, 2011). A family can be seen as a unique social system with its own structures and communication patterns. There is a group of people consisting of at least two generations, where interaction is characterised by fairly established and stable structures (de Flon, 2019). The significance of the family does not automatically mean, however, that family life is always a good thing. Family practice is an arena where individual life projects can collide, and where family relations are important as they represent lifelong

relationships (Syltevik, 2017). Family life is often unpredictable: changes in lifecycle and structures occur and the need for support or intervention may shift. Family life can offer happiness and safeness, but it can also pose a lack of safety. The closeness and dependency within the family can represent resources and protection, but closeness and dependency can also mean vulnerability to violations and negative experiences (Vedeler, 2011). The domain of family well-being includes the following dimensions: organisational structure, interpersonal relationships, parent psychological status and parent self-efficacy (Thomas et al., 2017). Organisational structure refers to a family's cohesion, harmony, agreement on caregiving, expressiveness and conflict. Interpersonal relationships are family relationships which include relationships with previous or current partners, with other children, between children and with other family members and friends (Visser et al., 2017).

Family functioning and well-being can be examined by way of a model of stress and coping (Armstrong et al., 2005). Here, coping is conceived of as a complex interaction between individuals and their environment and their reactions to stress. This model emphasises the transactional nature of variables such as social support, child characteristics and family well-being. On the basis of this model of family well-being, Camara and Resnick (1987) identified four family processes that may mediate the effects of parental break up on children's social and emotional functioning: 1) interparental conflict, 2) interparental cooperation, 3) father-child relationships and 4) mother-child relationships. In a recent study, Stolnicu et al. (2022) have identified four main dimensions that are central in post-divorce high conflict parenting: 1) parents are parents for life, 2) parents acting in the child's best interest, 3) how parents manage of disagreement and 4) how parents "heal" the separation. These studies show how family well-being, parental capacity for parenting and child development can be disturbed by parental high conflict.

### **1.3.2 Parental High Conflict**

The studies and literature exhibit great variation in terminology when used to describing parental conflict (Anderson et al., 2010; Haddad et al., 2016; Koshier & Katz, 2022; Smyth & Moloney, 2019; Stokkebekk et al., 2021). The literature also

reveals that no good definition exists, in research or in practice, for the term “high-level conflict” and that there are various aetiologies of conflict and conflict trajectories between parents after break-up (Anderson et al., 2010; Cashmore & Parkinson, 2011; Drapeau et al., 2009; Helland & Borren, 2015).

Anderson et al. (2010) claim that, despite “high conflict” regularly being used across a range of literature, it is used to describe relationships that are mired in conflict. High-conflict couples are characterised as having pronounced distrust in each other, repeating arguments, blaming, and vilifying each other and having little will to negotiate or compromise (Nikupeteri & Laitinen, 2022). Partners often exhibit low levels of differentiation and an inability to take responsibility for their role in the conflict. They may also encounter a gridlock of perpetual problems and dualistic thinking (Anderson et al., 2010; Mitcham-Smith & Henry, 2007). Conversation in high-conflict cases is characterised by parents changing the subject, and, high levels of emotional expression, and antagonism. Interaction is directed towards the person rather than the disputed issue or situation. The intensity of conflict between parents is the most significant factor in a child’s adjustment following a break-up (Boyan & Termini, 2013). Descriptions are rarely given that provide insight into children’s reactions, and parents often show minimal understanding of the impact that their mutual negative affect has on their children. If children are discussed, they are referred to as an argument for or against something (Anderson et al., 2010; Ekeland, 2022; Gulbrandsen, 2013).

Nordhelle (2016) asks how much a conflict needs to escalate before it is considered a high-level. It becomes important to have a concrete overall assessment of its frequency, duration and intensity, and how deadlocked it is for each party. Assessments of interparental conflicts consider a variety of tensions. This demonstrates that it is necessary to perform an overall assessment of a range of criteria in order to assess how a conflict affects the care of a child. Nevertheless, “high conflict” seems to be used as a collective term for conflict so intense and entrenched that it has a negative impact on relationships, partners and other family members, such as children.

I have adopted “parental high conflict” as an umbrella term for the terms mentioned above. “High conflict” can be understood as intense, entrenched conflict characterised by extreme mutual distrust and with negative and maladaptive consequences for the children involved.

### **1.3.3 The Concept of Risk in Relation to Parental High Conflict**

The prediction of risk and potential outcomes for children as a result of parental high-level conflict is included in discretionary clinical assessment. Haug (2018) claims that the concept of risk is so broad and complex that any ambiguous definition or clarification of what it comprises appears to be unrealistic. How one defines and operationalises “risk” depends on one’s epistemological and ontological views (Haug, 2018; Kjær, 2019). Realist and constructivist knowledge are examples of different traditions, but, independent of one’s field and view of knowledge, the different definitions of risk share a common denominator: risk relates to something that may occur in the future. A risk assessment includes consideration of past circumstances, a present perspective and a prediction for the future. Risk factors consist of circumstances that increase the likelihood of a child experiencing negative outcomes and problematic behaviour (Armstrong et al., 2005). The language of risk is drawn on discursively to help define, classify and decide upon a course of action (Stanley, 2016). The judgement of what constitutes a “risk” is subject to social and cultural context, personal experience and emotion (Lupton, 2013; Stanley, 2016). Risk cultures and understandings are neither static nor necessarily predictable, nor do they follow predictive models of behaviour, and they may contradict each other. Lupton (2013) claims that when one weighs up a risk or decides what it is, one makes an assessment of the social meaning of a phenomenon and its place within cultural norms, such as decisions regarding the values a concrete phenomenon is coherent with ranging from what is acceptable and harmless to what is dangerous or threatening. A risk factor with relatively high odds for child maladjustment is family problems (Van Dijk et al., 2020; Visser et al., 2017). In order to discover factors or variables that can explain neglect or health issues, it is important to explain the processes between the variables and why there is a connection. Knowledge of risk factors goes beyond detection of risk: it also includes the ability to prevent and

reduce risk. The assessment of children at risk can be viewed as an artefact of expertise, professionals are expected to know how to assess and handle situations where children are considered to be at risk. In this thesis, the concept risk is understood as the increased probability of detrimental child development on the basis of the situations to which the child is exposed, where high conflict between parents is considered a potential risk factor.

#### **1.3.4 Resilience**

Conceptual clarity is vital when measuring risk if one is to understand child resilience. In recent years, there has been a shift in the divorce-related literature from clinical perspectives focusing on pathology and dysfunction, towards the positively focused construct of resilience (Becher et al., 2019; Karela & Petrogiannis, 2018). The concept of resilience includes the presence of serious threats to child development (Armstrong et al., 2005). The concept emerged from the study of risk factors in disciplines such epidemiology and developmental psychopathology and focuses on children growing up under the threat of disadvantage and adversity. Resilience refers to a class of phenomena characterised by “good outcomes in spite of serious threats to adaption or development” (Masten, 2001; Masten & Wright, 2010). However, the outcomes of risk experiences are not entirely predictable (Schoon, 2006). Protective factors associated with positive adjustment such as a protective family environment may be the opposite of those associated with poor adjustment. Stokkebekk et al. (2019) claim that portrayals of risk often situate children within a victimising discourse, positioning them as passive victims of their parents’ conflict. This statement leads us to consider the lens through which we look at a situation. As regards protective factors as a possible balance to risk factors, resilience is an interactive concept that refers to an individual’s relative resistance to environmental risk experiences and their ability to overcome stress or adversity (Rutter, 2006). Resilience differs from traditional concepts of risk and protection due to its focus on individual variations in response to comparable experiences. Cowen (2000) identified four input variables that promote child wellness: 1) caregiver variables, 2) family milieu variables (healthy partner relationships, good relationships among family members), 3) child variables and 4) absence of major

stressors. In this thesis, resilience is understood in line with Rutter (2006) as an interactive concept concerned with a combination of serious risk experiences and relatively positive psychological outcomes despite those experiences.

### **1.3.5 Professionals**

The study of professions is an important but controversial field in society (Molander & Terum, 2008). Like several other concepts, the term “profession” is ambiguous. In the light of a more general understanding and of the development of professions as “the third logic” (Freidson, 2001), the term “profession” can be seen as a battle concept and an ideological construction (Molander & Terum, 2008). Studies of professions also indicate a research field that can be studied from a diversity of disciplines, research methods and theoretical frameworks. What defines a profession is the ability to apply a form of abstract knowledge to specific professional tasks and the existence of a bond or jurisdiction between the education and the work that the education qualifies someone for (Abbott, 1988). “Jurisdiction” is defined as a kind of a licence, mandate, autonomy or legitimacy.

In my study, family counsellor services and child welfare services can be seen as constructed social phenomena and in this picture as a “professional complex” which performs a type of service on the basis of an education from a scientific institution (Parsons, 1968). Professionals at the family counsellor services and child welfare services have the authority to exercise their practice within services because they have gained theoretical knowledge in a specially designed educational programme. In this way, professionals can be understood with reference to Stichweh (1994), who designates professional practitioners as those who know something that others do not. Professional practitioners have specialised knowledge and ability to understand and deal with the problems that people have. Family counsellors and child welfare case workers need to have specialist knowledge of children, families and family-related problems. As welfare state professionals, they decide, or establish premises for who will receive what service, in what manner, when and how much, and they can also decide when enough is enough (Molander, 2016).

Most of the professionals in both organisations, are educated as social workers, although there are somewhat greater numbers of psychologists in the family counsellor services (Statistics Norway, 2021). It is informal knowledge that in order to apply for a job at the family counsellor services, one should have completed some form of continuing education in addition to a bachelor's degree. There is also a requirement for several years of work experience, preferably from a different professional service. The professions of the 115 respondents to the survey that provides data for Articles I and II, include psychologist, social worker, nurse, social educator and preschool teacher. All of the respondents had been educated up to the master's degree level or had other forms of specialisation. The average age of the respondents was 53.5 years. Unfortunately, we did not ask for the educational background or age of those in the focus group interviews, but our impression is that these professionals were experienced social workers. Nevertheless, the background and years of work experience of these professionals most likely have something to do with the expectations of them as *mediators and interpreters* (Molander & Terum, 2008) in meetings with children and families who need help with communication, disagreements being seen and understood. On the other hand, Evetts (2003) points towards the concepts of "profession" and "professionalism" as carriers of a normative value system or as a type of power ideology. Services need a balance between normative and ideological elements when professionals with different educational backgrounds and levels of experience are to carry out assessments within the same mandate of specialised services, such as in the family counsellor services and child welfare services.

### **1.3.6 Professional Assessment**

Perhaps it is axiomatic that assessment of family functioning and parenting is a major component of the family counsellor services' and child welfare services' practice (Woodcock, 2003). Nevertheless, how professionals construct families, parenting, children's need of safeguarding and reciprocity in child-parent interaction reflects their actions in practice. Social work assessments of children, parents and families and of how to best assess needs and risks are a gateway to

service provision (Devine, 2015). Taylor and White (2001) define “assessment” as a process of making sense of information and refers to assessment practice as both a “head” and “heart” activity and a practice-moral activity. Professionals’ feelings, experiences, values, and beliefs influence practice. This means scrutinising, questioning and challenging the application of knowledge to service users and practice situations, as well as recognising the ways that experience, context and values inform and influence the assessment process. Identifying and assessing child vulnerability and possible maladjustment can be complex, and no assessment framework can provide professionals’ with the “right” answers (Horwath, 2007). Assessment frameworks are used, constructed and interpreted in light of professionals’ personal, professional and organisational factors, which again influence the professional judgement referred to by Eraut (1994) as “that mysterious quality” consisting of several components such as the interpretation and use of knowledge, practical wisdom, sense of purpose and feasibility.

Furthermore, a service’s assessment approach is dictated by the service’s remit (Hayes & Spratt, 2009). Professional work is often undertaken in situations with entangled institutional logic. Freidson (2001) defines institutional logic as a “systematic way of thinking that can embrace and order most of the issues with which they deal”. This means that professional services operate in an environment of complex, conflicting and sometimes irreconcilable demands (Alvehus, 2021; Alvehus & Andersson, 2018). The Norwegian welfare system provides services both as a welfare function and as a protective function for children, parents and families. In the case of the family counsellor services and the child welfare services, they were founded on the basis of different philosophies and constructions in the legislation. Accordingly, there may be a dichotomy between the two services in certain situations when these services’ provision becomes subject to the question of balance. In high-conflict cases, the balance between promoting welfare and safeguarding children in need is at stake. The connections between institutional logic, the knowledge base and the understanding of risk have consequences for practice (Haug, 2018). How the remit of the two services influences assessments and the conduct of practice is therefore of interest. As part of professionalism, it is important to maintain the values of the assessment of children and families in need or at risk.



As for believing in and trusting professionals to exercise best practice, it is necessary to continually subject professionals' work to critical examination, questioning and exploration.

The concepts of assessment and judgement seem to be used interchangeably in the literature at times, hence the difference between them is a bit unclear. In this thesis, I understand the concept of assessment in line with Taylor and White (2001) as a process of making sense of information. The concept of judgement seems to be a bit broader and closer to decision-making.

In the next section I will present research as to what we already know about parental high conflict.

#### **1.4 Previous Research**

In the process of the break-up and disengagement of parents, it is more likely than not that children will experience family transition and adjustment issues (Mitcham-Smith & Henry, 2007). Break-ups may be amicable, but high-conflict break-ups that are hostile in nature can cause substantial emotional risk and harm for the children involved (Ahrons, 2007). High-conflict parents typically engage in dualistic thinking and are affected by cognitive dissonance (Amato & Afifi, 2006; Asen & Morris, 2020; Festinger, 1957). They simply tend to be unaware and have minimal understanding of the effects of their high conflict behaviour on their children (Neff & Cooper, 2004). Studies show that in both divorced and still-married couples, there is an association between a number of adverse effects, such as reduced well-being, cardiovascular risk and poor physical health, and high levels of conflict (Gähler & Palmtag, 2015; Iveniuk et al., 2014; Thomas et al., 2017).

Families need guidance that take consideration not just of the individual's needs but of the needs of the entire family unit. Given the frequently win-or-lose nature of conflict between parents, the principle of the best interest of the child is at risk of entering the battle as part of the "painful clash between parents" (Kelly, 2002;

Mitcham-Smith & Henry, 2007). It is well documented that exposure to the tensions, hostility and acrimonious atmosphere of parental high conflict has generally negative effects on children and their families. Such conflicts cause emotional distress for children and negatively affect their psychosocial development both in childhood and over the course of their lives (Ahrons, 2007; Asen & Morris, 2020; Cummings & Davies, 2010; Harold & Sellers, 2018; Kosher & Katz, 2022; Saini et al., 2019).

As for the voices of the children themselves, studies show that children express aggressive feelings towards parents and court decisions when experiencing parental high conflict. Other experiences referred to include anxiety, depression, shame, guilt, not being heard, and feeling caught between parents (Amato & Afifi, 2006; Rød, 2017; Wallerstein & Lewis, 2007).

Children caught in the middle of parental conflict are often cast as passive recipients of their parents' conflicting agendas. In recent years, children have been seen as more active participants in their own life, which contrasts with the earlier basic assumption that children are vulnerable and need protection and shielding. This shift has led to thinking about children as active social actors with competence to express their own needs in matters that concern them (Mason & Hood, 2011; Mayall, 2002). Seen from a systemic perspective, children are to be considered active participants in the family's turmoil and its intrafamilial aspects (Garber, 2015; Grøndahl & Skjælaen, 2011). Children adapt to the caring circumstances of these situations by way of their internal working models (Camisasca et al., 2017; Garber, 2004) and social referencing, referring to a child's inherent tendency to take approach-avoidance from a caregiver's behaviour and emotions (Dunne & Askew, 2013). Children can think, feel, act and respond physiologically to their parents' conflict (Rhoades, 2008). The relational pressure on a child's position in a system of high-conflict dynamics can be observed only within the relationships themselves, in the coping responses to the conflict, and in the functioning at multiple levels within a family system (Ludolph & Bow, 2012; Miller et al., 2010; Rhoades, 2008).

For their part, professionals report high-conflict cases as difficult and challenging to assess and intervene in (Kosher & Katz, 2022; Saini et al., 2019; Sudland &

Neumann, 2021). Despite the research conducted on, and due to the multifaceted and complex nature of high conflict between parents, which is compounded by the risk of negative effects on children and young people, these issues need to be addressed further. There are few studies of professionals' understanding and assessment of parental high conflicts in Norway.

This presentation of research findings is not exhaustive. An updated literature review was conducted with the assistance of a professional librarian at Western Norway University of Applied Sciences in 2021. Interestingly, I came across the most valuable research literature in the course of working on this thesis while I was thoroughly examining the reference list of the different articles I have read.

## **1.5 Aim and Research Questions**

This doctoral project aims to contribute to the exploration of professionals' understanding and assessment of children at risk of care failure due to parental high conflict. It addresses the following overarching research question:

*How do professionals in family counsellor services and child welfare services understand and assess enduring parental high conflict?*

A survey and focus group interviews were chosen as research methods to explore and investigate the research question. It was decided to conduct a survey to reach out broadly and to conduct focus group interviews to follow up on findings from the survey.

The three articles explore several research questions, as set out below.

**Article I** – draws on survey data, including one vignette, and asks: 1) how do family counsellors assess the potential risk of care failure for two children described in a vignette, and 2) is there a correlation between assessment of high and low risk and the inclination to report concerns to the child welfare services?

**Article II** – draws on survey data and focus group interviews and asks how family counsellors outline and manage the question of appropriate interventions for children involved in high-conflict disputes.

**Article III** – draws on the focus group interviews and asks how professionals in the family counsellor and child welfare services understand and experience high conflict in terms of complexity?

## **2. Methodology and Research Design**

In this chapter, I will present and reflect upon the underlying philosophical worldview and the methodological choices that I have made to answer the research questions of this thesis. This PhD study started as a R&D project and was later built upon and expanded. As there were few studies of professional assessments of parental high conflict from a Norwegian perspective at the time, when the survey was designed, one intention was to start exploring the phenomenon broadly. This means that the survey Article I builds upon, was originally planned as a single study. After Article I was published, it was decided to expand the study and develop it into a PhD project, but to include only elements of the full survey. The reason for this is that the findings in Article I were considered of interest to broaden and explore further. Focus group interviews were thus chosen as a suitable method for going deeper into the topic.

The analytical approach of this study is based primarily on qualitative analysis. However, the data for Articles I and II the data has also been qualified through systematic classification and the enumeration of categories. For this reason the findings in Articles I and II are presented both numerically and textually. Article II includes qualitative analysis of the open-ended questions in the survey. The data was analysed by way of coding (Coffey & Atkinson, 1996) and reflexive thematic analysis (Braun & Clarke, 2022). I chose to use a combination of lenses to facilitate, analyse and understand the different stages of the research process (Savin-Baden & Howell-Major, 2013).

**Table 1***Overview of Research Designs for Thesis Articles*

	<b>Article I</b>	<b>Article II</b>	<b>Article III</b>
<b>Analytical approach</b>	Text analysis of open-ended responses to questions and a survey vignette	Text analysis of open-ended responses to questions in a survey and transcriptions from focus group discussions	Text analysis of transcriptions from focus group discussions
<b>Data</b>	Written assessment responses to a survey (n=115)	Survey: written assessments as responses to questionnaires  Focus group interview responses to a question guide	Focus group interview responses to a question guide
<b>Units of analysis</b>	Professionals at family counsellor services	Professionals at family counsellor services	Professionals at family counsellor services and child welfare services
<b>Years</b>	2015 - 2020	2020 - 2022	2020 - 2022

**2.1 Methodology**

Methodology is a meta-reflection of the principles underpinning research designs. The principal questions of understanding and interpreting scientific methods are up for discussion. Mackenzie and Knipe (2006) claim that the most common definitions suggest methodology is the “overall approach to research linked to a paradigm or theoretical framework”.

Reflections on how to gain knowledge, develop research questions and choose methods for data collection, informant choices, and methods of analysis and

interpretation are all closely connected methodological questions that are key to consistent and transparent scientific research. A crucial question in social science methodology concerns the relationship between science and reality.

## **2.2 Ontological and Epistemological Considerations**

Metatheories deal with ontological and epistemological issues such as the nature of reality and how we gain knowledge about it (Danermark et al., 2019). How we understand our object depends on our ontological and epistemological assumptions. When undertaking a research project, one has underlying assumptions and understandings based on one's knowledge and experience of lived life. A key question asked in ontology is what is – that which exists as a social reality – what social units are out there, and how do they interact? Another underlying assumption is epistemology as the theory of knowledge: how do we know what we know, what are the conditions for knowledge and how do we bring it forth? In summary, ontology consists of the basic assumptions about what the social world looks like, and epistemology consists of the different perceptions of how one can gain knowledge about the world (Hollis, 1994). An essential epistemological question is whether empirical data is the only possible foundation for research or whether knowledge can be built upon pure thought and reflection, without having an empirical foundation. According to the first perspective, knowledge must be built on human observation, anything else is speculation. On the other hand, the second perspective allows that there may be power and structures behind social life that one cannot observe (Johannessen et al., 2010).

The theorising and development of concepts play a key role in ordinary research practice. The objects of social science are largely social situations, relations, processes and structures that never appear as given facts and/or can never be observed directly. Social relations and structures can be understood only by means of concepts (Danermark et al., 2019). In this research project, I take the phenomenon of high conflict among parents as a core concept. I need to be aware of how I understand it and how I take my understanding of it for granted. My understanding is, of course, influenced by my experience as a practitioner in the

child welfare services, my educational background, and my knowledge about and reflections on children, families and family life. Another perspective is how my informants understand the concept and what meaning they ascribe to it when they assess, practise, and reflect on the phenomenon. Yet, another influence is the impact of my supervisors.

Anthropologists have developed notions of the phonemic (emic) and the phonetic (etic) understandings of humanity (Morris, 2006). An etic understanding of a human situation is that of the outside observer looking in, whilst an emic understanding of a human situation is that of the insider looking out. By using these perspectives as categorising concepts, positivism and post-positivism result in an etic understanding of a situation, while critical theory and constructivism result in an emic understanding of a human situation. The goal of positivist and post-positivist research is to gather knowledge for its own sake, while critical theorist and constructivist research gathers knowledge to take action. To select an appropriate paradigm, the researcher needs to make a decision about whose perspective to take and the purpose of the research (Morris, 2006). It is claimed that social work is categorised within the paradigm of social construction as a discipline thought of as a social construction of reality (Mackenzie & Knipe, 2006). Social work has been criticised for not being an independent discipline but more of a combination of disciplines such as psychology, sociology, political science and law. As for the question of what social theory is and why the relationship between theory and empirical research has been the subject of controversy (Joas & Knöbl, 2009), social work as an independent academic discipline has been discussed and criticised for a lack of adequate research, or, according to Morris (2006), research into social work has been left behind when it comes to exciting possibilities associated with a diversity of world views. The value of empirical research in social work has grown, but I view social work as part of the modern social sciences, which are characterised by a large number of competing theories and encompass both theoretical and empirical knowledge as Joas and Knöbl (2009) claim.



## **2.3 Critical Realism**

This thesis has been inspired and influenced by critical realism viewed in relation to both social work as a discipline and my research questions. Characteristic of critical realism is a distinction between ontology and epistemology (Maxwell, 2012). One has underlying assumptions about ontology as the nature of reality – what is in the world -, and about epistemology as the theory of knowledge. All knowledge is thus theory laden. Nevertheless, this does not contradict the existence of a real world to which the knowledge refers. One reason for the development of the perspective of critical realism was a critique of the positivist approach. Critical realism can be understood as a philosophy for science rather than a philosophy about science. Critical realism presents an ontology that is meant to help us to discover contexts, and in this way it can be a fruitful resource for understanding the theory, practice and research of social science (Kjørstad, 2020).

The term “critical realism” has a long history with diverse definitions (Maxwell, 2012). In this thesis, I have chosen to use the perspective associated with the British philosopher Roy Bhaskar, which indicates a metatheory with far-reaching consequences for scientific work. According to this perspective, critical realism contains two analytical elements: a general ontology originally called transcendental realism and an attempt to apply this to the social scientific field originally called critical naturalism. These two elements have been brought together in the concept of critical realism (Danermark et al., 2019). The core of critical realism within philosophy from this perspective involves a switch from epistemology to ontology and, within ontology, a switch from events to mechanisms. Bhaskar emphasises that the fundamental question in the philosophy of science is what properties societies and people possess that might make them possible objects for knowledge, and that this ontological question must be the starting point for a philosophy of reality, not the epistemological question of how knowledge is possible, which was primarily the case in the past (Danermark et al., 2019). The point of departure from this perspective is that the world is structured, differentiated, stratified and changing (Danermark et al., 2019), and the conclusive part is key: to switch from events to mechanisms means to start paying attention to what produces the events rather than just the events themselves.

Reality is assumed to consist of several domains. One of these is mechanisms which sometimes generate an event, and when they are experienced, they become an empirical fact. If humans are to attain knowledge about underlying causal mechanisms, empirically observable events alone are not sufficient (Danermark et al., 2019). Another key point in the context of critical realism is that critical realism provides an answer to the dichotomy of realism versus anti-realism, where the fundamental question is whether there exists a world independent of human consciousness. Critical realism provides an answer to this question by claiming that there exists both an external world independent of human consciousness and, at the same time, a dimension that includes humans' socially determined knowledge about reality (Danermark et al., 2019).

## **2.4 Being a Reflexive Researcher**

Whatever the research method, the researcher will, in one way or another, influence the research process and its results, because knowledge is a product of human perception, interpretation and interaction (Malterud, 2011). For this reason, reflexivity - in the sense of awareness of one's own influence on the research - is a vital element of the process (Finlay, 2002). Reflexivity is an active attitude as well as a position that a researcher needs to seek and maintain throughout the research process (Malterud, 2011). To be reflexive is to undertake an ongoing examination of what I know and how I know it (Patton, 2014). One of the main questions is what has an influence on what I discover when I am conducting my research, because I do not see the world unconditionally. Everyone has their own world view built on their own personal history that guides their individual approach to research (Morris, 2006). A researcher always has a personal bias that influences the validity of their research. The general consensus is that those undertaking a qualitative enquiry should demonstrate the credibility of their studies and clarify their own viewpoint (Creswell & Miller, 2000). Factors that may affect reflexivity include social position, gender, age, personal experience, and political and professional beliefs. Berger (2015) considers the benefits and challenges of reflexivity in terms of three types of researcher position: (1) when the researcher and study participants have had the

same kind of experience, (2) when the researcher goes from being a study outsider to being a study insider, and (3) when the researcher has no personal familiarity with or experience of what is being studied. Through the process of reflection, the researcher can harvest the benefits of their familiarity with a subject while curbing the potentially negative effects of this familiarity. In keeping with the observations of Berger (2015), in my study of professionals in the services whose experience is closely related to my own earlier experience as a practitioner, I need to consider how I can easily overlook my own influence and intuitive tacit knowledge in all stages of the research process. In qualitative research where the researcher performs data collection, analysis and interpretation themselves, their preconceptions are likely to have an epistemological influence. In the interest of integrity and trustworthiness, one should evaluate how intersubjective elements influence data collection and analysis. It is therefore essential that I make my position and procedures when drawing conclusions transparent by way of a self-aware meta-analysis.

#### **2.4.1 Who Am I As Researcher? – Self reflexivity**

The credibility and reliability of this thesis are subject to the influence of my personal and professional background, which is part of my process of establishing knowledge. Understanding how my experience and my personality traits have influenced my studies presented here is of paramount importance. In my view, to ensure the quality of my work, I need to answer self-reflexive questions: 1) what about me as a person may have an influence on my study and 2) what have I done in order to reduce the presence of bias in the results of my research?

In answer to the first question, I am a white middle-class female who was born in 1970. I am a mother and a “bonus mother” to four almost grown-up individuals, and I feel great concern about the welfare and well-being of children. I enjoy reading books and taking part in discussions about philosophy, ethics and values related to human life in general. I have never been politically active. My professional background is in social work, a discipline included in social science. Since 1994, I have engaged in professional practice in the field of child welfare. In retrospect, it is clear to me that my research project originated in my experience as a practitioner in

the child welfare services and not in any specific theoretical perspective, whether epistemological or ontological. My starting point was a mixture of experience gained from direct contact with children and families and theoretical knowledge. In answer to the second question, it was clear to me right from the start of this project that my motivation came from my experience of various situations in practice. My supervisor at the time had in fact challenged me to start with a survey of the family counsellor services, which were more peripheral for me, rather than in the child welfare services, which were familiar. Since the project is cross sectional in nature, I was being challenged to begin with a shift in focus. My supervisor made it clear that I could still do a more comparative study later. To verify the analysis of the three articles, my supervisor and a research assistant qualified the questions prepared for the survey and analysis in preparation for Article I. Around this time, I also had several opportunities to present my work in the research group and PhD workshops I was attending at the University of Bergen. Being able to do this early in my study helped me establish a meta position and identify my blind spots as I changed from a practitioner into a researcher. An insight important for my self-reflexivity process came during the mid-evaluation of this PhD work. Two external evaluators asked questions that made me rethink parts of my research in a new and broadened direction. Their reflections led me to reflect from a wider perspective as I prepared the process for Articles II and III. The interview guide for the focus group interviews was prepared in collaboration with my main supervisor for Articles II and III. She also listened in on the discussion at the mid-evaluation. My supervisor and I conducted the focus group interviews together. We decided in advance that we as mediators would not intervene in the interviews, but instead give clear instructions and ask clarifying questions if needed, at the end of each interview. This was an attempt to not influence the data, especially as we are both experienced in the field. My co-authors also qualified the analysis during the preparation of Articles II and III. These processes have made the value of transparency in research quite apparent to me. On several occasions I have found many aspects of conducting research to be reminiscent of social work as a profession. Transparency in assessment, analysis, ethical considerations, and an awareness of oneself as an influencing actor are very important at all stages of the professional and research process alike.

## **2.5 Qualitative Study as a Research Design**

One way to go about understanding the complexity of the social world is by applying methods and a research design. Denzin (1978) points out that each individual method suggests different lines of action towards reality and hence reveals different aspects of it, much like a kaleidoscope. The different colours and configurations that a kaleidoscope reveals to the viewer depend on the angle with which it is held. Methods are like a kaleidoscope, and the observations that are revealed depend on how methods are applied (Denzin, 1978). This research project is founded on qualitative methods that include quantitative elements from a survey.

Qualitative studies are suitable for describing phenomena in context, which provides a background for their interpretation, and can lead to a fuller understanding of the phenomenon (Justesen & Mik-Meyer, 2012). The key to understanding qualitative research is the idea that meaning is socially constructed and interpreted by individuals in interaction with their world (Merriam, 2002a). Basic qualitative studies are conducted in order to discover the perspectives and world views of the people involved and understand what people's unique interpretations are at a particular time and in a particular context and the meaning they attribute to them (Merriam & Grenier, 2019). In a qualitative enquiry, data is collected by way of in-depth interviews, focus groups, open-ended survey questions, social media posts, direct observations and document analysis (Patton, 2014). Denzin and Lincoln (2017) imagine the qualitative researcher as a bricoleur and quilt maker, understood as a person who assembles images into a montage. When the interpretive bricoleur produces a bricolage the method they choose is a way of constructing. This way of construction can change and assume new forms as different methods and techniques of representation and interpretation are added to the puzzle.

## **2.6 Data Collection and Analysis**

The data collection strategy is informed by the research question and the data sources that will yield the best information to answer this question. Where possible, researchers are encouraged to use more than one method of data collection, as multiple methods enhance the validity of findings (Merriam & Grenier, 2019). The

three main traditional sources for data collection in qualitative research studies are interviews, observations and documents.

In qualitative research, data analysis occurs simultaneously with data collection, beginning with the first interview, the first observation or the first document assessed (Merriam & Grenier, 2019). Qualitative analysis transforms data into findings (Patton, 2014) and relates to the representation or reconstruction of social phenomena. The researcher constructs versions of the social worlds and social actors that they observe. It is therefore inescapable that analysis implies representation (Coffey & Atkinson, 1996). Below, I will present the different methods used and analyses conducted in connection with the three different articles, and how I pieced together the research bricolage in this project.

**Table 2***Overview of Analysis Framework Approach and Steps*

<b>Article number and title</b>	<b>Epistemology</b>	<b>Analysis framework and approach</b>	<b>Analysis steps</b>
<p>Article I</p> <p>“Fastlåste foreldrekonflikter. En analyse av familierapeuters skjønnutøvelse i saker med høy konflikt (Deadlocked parental conflict. An analysis of family therapist’s discretionary practice in high conflict cases)</p>	Critical realism	<p>A general model for assessing the situation and deciding what to do about it (GADM) Dalglish (2003)</p> <p>Coding of open-ended responses. Coffey and Atkinson (1996)</p> <p>Tables and cross tables</p>	<p>1. Becoming familiar with the data</p> <p>2. Coding</p> <p>3. Identifying themes as categories</p> <p>4. Writing Up</p> <p>5. Developing tables and cross tables</p>
<p>Article II</p> <p>Family counsellors’ professional assessments when children are at risk due to enduring parental conflicts</p>	Critical realism	<p>A combination of</p> <p>Coding of open-ended responses. Coffey and Atkinson (1996)</p> <p>and</p> <p>Reflexive thematic analysis. Braun and Clarke (2006, 2019)</p>	<p>Coding open-ended survey responses</p> <p>1. Becoming familiar with data</p> <p>2. Coding</p> <p>3. Generating themes</p> <p>4&amp;5 Developing themes</p> <p>6. Write up</p>
<p>Article III</p> <p>High conflicts as complex and wicked problems – A qualitative study of professionals in Norwegian family counsellor services and child welfare services understanding and experiences of high conflicts</p>	Critical realism	<p>Wicked problems. Rittel and Webber (1973)</p> <p>Reflexive thematic analysis. Braun and Clarke (2006, 2019)</p>	<p>1. Becoming familiar with data</p> <p>2. Coding</p> <p>3. Generating themes</p> <p>4&amp;5. Developing themes</p> <p>6. Write up</p>

### **2.6.1 Survey**

The subject of this research project can be viewed as situated at the intersection of the three relevant services in Norway: the family counsellor services the child welfare services and the district courts. As previously mentioned, at the time (2014) there was little research on the professional assessment of parental high conflict in Norway, so the intention behind the survey was to build a broad foundation on which to start and build a research project. As the child welfare services were more familiar to me, we decided to begin with a survey of all Norwegian family counsellor services.

A survey is a method of collecting data from a sample of the population or sometimes from organisations that one is interested in (Ball, 2019; Newman et al., 1998). According to Reynolds et al. (2006), the three most common reasons for choosing an e-survey are lower costs, faster response times and increased response rates. For this study, a cross-sectional online survey designed as a questionnaire was developed. It contained descriptive questions, Likert scale claims and analytical open-ended questions in response to four vignettes. Of the vignettes, only one was chosen to be included in Article I, as a starting point for the analysis.

### **2.6.2 Vignettes**

Vignettes are “simulations of real events depicting hypothetical situations” and dilemmas (Wilks, 2004). Barter and Renold (1999) argue that vignettes are used for three main purposes in social research: 1) to allow exploration of actions in context, 2) to clarify people’s judgements and 3) to provide a less personal and therefore less threatening way of exploring sensitive topics. This method can be used in both qualitative and quantitative studies, and a variety of elicitation tools can be used to facilitate responses. By using vignettes as a method, it is possible to study people’s perceptions, assessments, attitudes, values and norms with regard to the phenomenon or scenario presented (Ejrnæs & Monrad, 2012; Finch, 1987). Vignettes offer the possibility of making direct comparisons of assessment methods in situations as close to real life as possible while keeping potentially confounding factors constant (Andershed & Andershed, 2015). Vignettes can serve as ice-breakers



at the beginning of interviews and facilitate discussion about participants' opinions and the terms they use (Hazel, 1995). The professionals' professionalism will be explored through assessments and attitudes in the analysis (Ejrnæs & Monrad, 2012). Of particular importance when considering the development and construction of vignettes is their internal validity, their appropriateness for the research topic, the participants involved and their interest, relevance, realism and timing in the research encounter (Hughes & Huby, 2012).

For my studies, I have chosen written case descriptions that are dilemmatic in nature and constructed and designed for the purpose of this particular study. To ensure the validity of the research, the vignettes were independently read and criticised by an experienced family counsellor and an experienced child welfare case worker prior to their inclusion in the study presented in Article I.

#### **2.6.2.2 Coding and Analysis**

To categorise the open-ended text in the survey, I used a conceptual analytical strategy. Coffey and Atkinson (1996) refer to coding as a process of condensing data sets into analysable units by creating categories with and from the data. One generates concepts by using coding. Attaching codes to data and generating concepts have an important function in the analytical process, as this enables a rigorous review of what the data says. Codes, data categories and concepts are thus closely related to one another (Coffey & Atkinson, 1996). Codes represent a link between raw data on one side and the researcher's theoretical concepts on the other (Seidel & Kelle, 1995).

In Article I, the open-ended responses to the questions asked in the assessment of the presented vignette were coded by me. After several re-readings, the coded data was critically reviewed several times by a research assistant and my supervisor.

**Table 3***Themes Identified as Categories in Article I*

<b>Themes</b>	<b>Content</b>
Child circumstances	Concerns consequences or expected negative consequences for child as direct result of parental conflict
Parents' competence as caregivers	Concerns parents' competence as caregivers, such as attitudes/ actions to safeguard child's basic needs for food, clothing and security, and their ability to prioritise the child's needs in a conflict of interest between the child and the adults
Child participation and child perspective	Concerns child participation by focusing on children as independent actors, and highlighting the child perspective by focusing on children's own stories in the assessment and pointing out parents' lack of the child perspective
Shared care	Concerns the assessment of shared care, consequences of shared care and conditions needed for shared care to work
Duration and level of the conflict	Concerns duration of conflict and grading of conflict level as high, moderate and low.

**2.6.3 Focus Group Interviews**

The findings from the survey raised some new questions, hence focus group interviews were selected as a method to go deeper into the subject. The focus group method is designed to produce qualitative empirical material from group interviews (Justesen & Mik-Meyer, 2012). A primary difference between the conduct of focus group research and other types of research (e.g. individual interviews, surveys, and observations) is that data collection occurs in, and is facilitated by, a group setting (Stewart & Shamdasani, 2014). Compared to real life practice, the context of focus group interviews is artificial, but they can still allow the researcher privileged access to in-group conversations, which contain key professional terms and categories in

the situations in which they are used. The group interviews are structured around themes predefined by the researcher. Discussions occurring within focus groups provide rich data on the group's opinions on a given issue (Bloor et al., 2001; Halkier, 2010; Kitzinger, 1995). In general, the usefulness and validity of focus group interview data are affected by the extent to which participants are comfortable openly communicating their ideas, views and opinions on the research themes. The key to successfully using the focus groups method, and social science research methods as a whole, most often for exploratory research, is to ensure that method's use is consistent with the objective and purpose of the research (Stewart & Shamdasani, 2014).

As to the validity of the research, along with the composition of the focus group, a key element in the design is the formulation of questions and the choice of wording. Prior to the questions being presented in the focus group interviews for this study, they were re-read several times by myself and my main supervisor. Also important is how the interview is processed. In this study, my main supervisor and I conducted and moderated all of the group interviews together. The interviews were all audiotaped and transcribed by a professional.

### **2.6.3.1 Reflexive Thematic Analysis**

The data used in Article II and Article III was subjected to analysis inspired by reflexive thematic analysis (Braun & Clarke, 2006, 2022). Clarke et al. (2015) claim that their thematic analysis approach is theoretically flexible, a key element being that it is a method rather than a methodology. The flexibility of thematic analysis means the researcher played an active role in designing the studies.

Braun and Clarke (2019) set out six phases for reflexive thematic analysis: 1) familiarising yourself with your data; 2) coding; 3) generating initial themes; 4) developing and reviewing themes; 5) refining, defining and naming themes; and 6) write up. These phases are sequential, with each phase building on the previous one. The analysis is therefore a recursive process where the researcher moves back and forth between phases.

Article II examines reflexive thematic analysis and views it in relation to the coding of the relevant open-ended responses in the survey.

**Table 4**

*Themes Identified through Reflexive Thematic Analysis, Article II*

<b>Themes</b>	<b>Content</b>
Extended work in family counsellor services	Expanded conversations with parents and children, separately and together Educational programmes Invite a colleague
Parent autonomy and responsibility	Invite parents to collaborate Encourage parents to take action themselves
Child welfare services	Encourage parents to contact child welfare services themselves Alternatively consider mandatory reporting: - if family counsellors fail in conversations - experiences with the child welfare services
Court proceedings	Encourage parents to attend court proceedings or new mediation appointments
External low-threshold services	Aggression training programmes School Preschool Public health nurses

To analyse the data underlying Article II and Article III, it was read and re-read several times to develop familiarity with it. After re-reading and coding, my supervisor and I examined the initial coding together. After agreement on the coding was reached, the search for initial themes began. After going back and forth between the different phases several times, the themes were agreed on. The wording of the themes was reviewed several times to ensure they reflected both the theme content and the research questions.

**Table 5***Themes Identified through Reflexive Thematic Analysis, Article III*

<b>Themes</b>	<b>Content</b>
Children	Traumatized and at risk Easy to lose sight of the children, not by intention but due to complexity
Parents and extended family	Vulnerable and easily think professionals chose sides or take part Do not understand, see themselves as violated
“High-conflict labelling”	A definition of the problem – but a double-edged sword The families we find most challenging “High-conflict” labelling causes one to lose sight of the children Where there is high-conflict – no one gets into position to help
Being professional	Feeling of powerless and discouraged
Reflexive questions as part of assessment	What helps, how to make assessments, what are the alternatives How to work in process, what is most important Do we put too much stress identifying the truth, how to measure change What is most important how do we start so that conflict is reduced
The need for measurements and knowledge	Programmes, mediation models, structure, need for preventive efforts A challenge to help when parents already enmired in conflict

## **2.7 Limitations**

As with all methodological approaches, here there are also pros and cons and limitations. Survey data does not necessarily present a more “real” picture of reality than other methods (Johannessen et al., 2010). As for conducting a survey, one can receive a response that does not realistically portray what professionals would actually do in a real-life situation. Professionals may also give you the answer that they think you expect. As for the vignette used in Article I, it was the fourth and last in the survey and the questions raised were familiar to the respondents. They might have responded differently had the vignette been presented in a different order.

There is always variation among the professionals involved in focus group interviews in terms of personality, experience and verballity. As in a survey, whether informants discuss and present subject matter the same as they would in real life situations is not known. As a method, it can be said that focus groups interviews are significantly less prevalent than individual interviews (Justesen & Mik-Meyer, 2012). As the moderators of the focus group interviews, my supervisor and I decided beforehand not to intervene during the discussion and wait until the end before addressing unanswered questions ensuring that we had understood the informants correctly. As we had grouped our questions into two themes, with a break between them, we wanted to conduct the interviews in as similar a manner as possible. Our approach to moderation could be criticised as overly passive in terms of maintaining focus and facilitating fruitful discussions to generate data relating to the research question (Justesen & Mik-Meyer, 2012).

## **2.8 Ethical Considerations**

A good qualitative study is conducted in an ethical manner, and at all stages its validity and reliability depend on the researcher's ethics (Haugen & Skilbrei, 2021; Merriam, 2002b). As in social work as a discipline, ethics are of key importance at all stages and phases of research and questions of ethics are likely to arise regarding the collection of data and the process of disseminating findings. Whatever the paradigm or methodological approach, all studies must undergo a human subject's review process so that it can be assessed whether study participants are potentially exposed to harm and to balance this with the potential benefits of the study's findings. A researcher approaching clinical practice needs to understand that professionals must make decisions, even though sometimes the decision may not provide the best solution in a given situation (Hummelvoll, 2010). Awareness of ethical considerations and transparency is of importance, but experience shows that it is also important to consider possible conflicts of interest when planning and conducting studies (Øye et al., 2019). This process also evaluates the provisions to protect participants' privacy, confidentiality and anonymity (Hollis, 1994; Taquette & Borges da Matta Souza, 2022). The World Medical Association's Declaration of

Helsinki (World Medical Association, 2013) and the National Association of Social Workers (1996) commit social workers to being knowledgeable about research and to respecting and protecting those who participate in their research studies. The three studies in my research project have been individually assessed and approved by the Norwegian Centre for Research Data (NSD, 1971) and discussed and assessed by the head of section for research at Western Norway University of Applied Sciences. Given the project's nature it has not required the approval of the Regional Committee for Medical and Health Research Ethics.

### **3. Theoretical Framework**

One element of scaffolding a study is locating oneself as a researcher within the field and the theoretical world that surrounds it (Thorne, 2016). In the following chapter, I will outline the theoretical framework underpinning the foundation of the analysis of this thesis.

#### **3.1 Theory**

The word *theory* is derived from the Greek word *theoria*, which means to “look at”, “consider” or “examine”. The scientific literature gives no single unifying theory but many different definitions, and the use of theory and how to understand the term “theory” have been subject to debate (Joas & Knöbl, 2009; Johannessen et al., 2010). Danermark et al. (2019) consider theory a superordinate concept in relation to various types of theory, ranging from general abstract theory on the borders of philosophy, and to the more concrete theoretical hypotheses of specific phenomena. Theoretical perspectives offer a choice of lenses through which to interpret data. Joas and Knöbl (2009) claim that theoretical and empirical knowledge are inseparable. The choice of theoretical approaches used in this thesis has been informed by the intent to illuminate the phenomenon of parental high conflict and how professionals understand and assess it. I have drawn inspiration from Thorne (2016), who describes several aspects of a theoretical framework: 1) one’s theoretical allegiances on entering a study, 2) location of oneself within a discipline and 3) location of personal relationships relative to one’s ideas.

The literature on theory which I have drawn on in the three articles relates mainly to professional discretion and wicked problems, conflict theory and systems theory. The individual articles emphasise different aspects of the theoretical framework. In order to approach the overall research question of this thesis, I have chosen a conceptual framework inspired by the critical paradigm in general, theories of critical realism, professional discretion, conflict theory, wicked problems and systems theory.



### **3.2 Critical Theory**

Critical theory is, in general, an ideologically oriented approach to studying human phenomena (Hollis, 1994). As Morris (2006) points out, critical theory is an exciting alternative for a social worker committed to social action. Besides having a social action agenda, a critical theory researcher also brings an ideological commitment to the research arena. Research questions and problem statements are not neutral. Rather, they are reflections offering polemics on power relationships and remedies addressing inequities in those relationships (Morris, 2006). A critical theory researcher will systematically enquire into the functions and contradictions within engaging with the poor in connection with a history and within partnering to develop empowering action strategies to address contradictions. In this thesis, I see the children as the “poor” in the history and my research as an attempt to address the contradictions in the way professionals and the system attempt to help the children involved in enduring parental high conflict.

### **3.3 Critical Realism**

As mentioned at 2.3 in the methodology section, critical realism can be said to have both a philosophical aspect and more of a social science aspect (Danermark et al., 2019). Despite the challenges in separating out the philosophical and theoretical dimensions of critical realism, in this section I will be focusing more on its theoretical aspects.

Given that this perspective has both a general philosophical aspect and more of a social science aspect, this suggests that the focus of our research process is the relationship between the real world and the concepts we form about it. To elaborate on the relationship between ontological “reality” and epistemological “construction”, critical realism separates reality into three domains: 1) what actually happens, 2) our perception of reality and 3) the “mid-domain” consisting of mechanisms that produce phenomenon. Reality consists of objects with powers and mechanisms that differ in quality and are not directly observable within the empirical domain (Danermark et al., 2019). Critical realism claims that it is possible to gain knowledge

of actually existing structures and generative mechanisms, not as mirror images, but in terms of theories that are more or less truthlike.

Critical realism emphasises the nature of the social world. When individuals intervene in or relate to the environment, they do so as a member of a social world in a society containing structures wherein different positions are occupied with people that have access to resources for interactions with their surroundings. Within these resources are relations of power and dominance, such as socially caused differences that are cultural, ideological or otherwise, which means there is a need to vary the knowledge about, for instance, interests, problems and other things. Critical realism argues that when analysing social science, one should search for causal powers at the social level due to social phenomena being produced by social power, and social events being produced by a range of interacting mechanisms. Critical realism also emphasises awareness of the relationship between language and reality, as language is an important instrument for exploring reality (Danermark et al., 2019).

Knowledge is filtered through language and concepts that are relative and changeable in both time and space. Researchers need to be conscious of scientific conceptualisation in terms of facts being theory-laden, which implies being aware of people's different conditions which are present when human beings study both the natural world and the human social world. Critical realism does not claim to develop a new social science method. Rather, it criticises ambitions to develop a specific method; there is no method *of* critical realism. Critical realism offers guidelines for social science research and starting points for evaluating already established methods (Danermark et al., 2019). Pocock (2015) believes that critical realism offers a more coherent, accountable and enabling philosophy of practice than positivism, constructionism or pragmatism. He further argues that realism needs to be brought into practice in order to be truly reflexive and accountable.

Sayer (2000) claims that critical realism offers a rationale for critical social science, a rationale that is critical of social practices of study, as well as of other theories. The social sciences have been argued to have an emancipatory potential. The objects that social scientist's study are concrete in the sense that they are products of multiple components and forces. Social systems are always open, usually complex, and messy

and always depend on specific contexts (Sayer, 2000). Policies always function through actors' perceptions and choices, and whether people respond appropriately depends on a number of possible circumstances. These circumstances are likely to vary within and between cases. Researchers should try to identify these variations. Explanations require interpretive and qualitative research in order to discover actors' reasoning and circumstances in specific contexts.

Realist explanations focus primarily on how and under what circumstances policy mechanisms may block mechanisms, rather than on the structures and circumstances from which the mechanisms are derived (Sayer, 2000). In the present study, the Children's Act may be taken an example of a policy mechanism. Sayer (2000) refers to Marx and claims that the category "services" is a "chaotic conception" and sloppy abstraction, arguing that only by giving greater emphasis to problems of conceptualisation and by pursuing realist questions are we likely to avoid pitfalls. Danermark et al. (2019) argue that, firstly, a knowledge of structures, mechanisms and tendencies is highly constructive when it comes to good planning, and secondly, that the relationship between research and social critique is part of explanatory criticism, stressing their importance in relationship between the social sciences and their practical application. Critical realism offers a rich understanding of the subjective and objective factors that cause events to occur. Critical realism is a position that examines how human agencies interact with the enabling and constraining effects of social structures. To understand social life, one must comprehend the interplay between these two central spheres (Houston, 2001). Here, as in critical theory, critical realism and social work theory, power structures and oppression dynamics are core dimensions (Dominelli & Campling, 2002; Morris, 2006). The goal of critical theory research is to identify and address oppression and to change participants and their context by eliminating false consciousness and facilitating transformation.

This thesis will focus primarily on the third domain of critical realism theory, the mid-domain, in its analysis of the research question. High conflict among parents that causing risk of maladjustment is documented as challenging for professionals. In Norway, the family counsellor services and child welfare services are regulated by

acts and a mandate to help children and families in such situations. My aim in exploring the phenomenon of parental high conflict is to identify the mechanisms and interplay that frame assessment practices within the context of these two services.

### **3.4 Professional Discretion**

Professional discretion is a core element of the professions (Freidson, 2001), but “discretion” is an ambiguous term. Discretion is described as vulnerable, and there are several theoretical perspectives on how to understand it. Eraut (1994) refers to discretion as “that mysterious quality”, in the sense that it contains a range of components, such as definitions of knowledge, practical experience, experience of meaning, purpose and feasibility.

Discretion implies relative freedom to make assessments according to certain standards determined by an authority (Dworkin, 1977). Discretion allows for recognition of each unique situation and provides an “opportunity to be flexible, experimental and sensitive to the particular” (Handler, 1986). Molander et al. (2012) argue that discretion has both a structural aspect and an epistemic aspect. In this sense, discretion is both an opportunity and an exercise concept, and a distinction is made between structural and epistemic measures. On the one hand, structural measures constrain discretionary spaces and the behaviour in such spaces; on the other hand, epistemic measures aim to improve the conditions for, and the quality of, reasoning in such spaces. Structural measures specify what the holders of discretion are accountable for. Structural measures may also have an epistemic effect, especially when combined with review procedures. Molander et al. (2012) are clear that the primary aim of structural measures is control as opposed to any positive reasons, whereas the class of epistemic measures is basic given their direct relationship with the justifiability of discretionary judgements, actions and decisions. Molander et al. (2012) argue further that these two types of measures provide an illustration of the problems in professional discretion in respect of the public provision of goods and services that are worth pursuing.

Freidson (2001) claims that professional discretion is the core element of professional work. Grimen and Molander (2008) emphasise that discretionary reasoning occurs in situations that require a specific type of reasoning in order to make a certain type of decision about what to do. It is characteristic of professionals in street-level organisations to apply of discretion in interaction with clients when, in their role as gatekeepers, they decide who is entitled to welfare benefits. On this basis, professionals have responsibility for welfare services in practice (Lipsky, 2010; Terum, 2003).

Assessments by family counsellors are part of the welfare arrangement and they, as professionals, have discretionary power in their role as street-level bureaucrats (Molander et al., 2012). Although the family counsellor services are a low-threshold service, its employees have the authority to make assessments that affect families and they are obliged to provide mandatory reporting. Molander and Smeby (2013) claim that the exercise of judgement is based on the expectation that those who have such authority have the will and ability to perform their tasks in a professionally sound manner and in the best possible way. Professionals should, because of this mandate, know how to justify their assessments and decisions with reference to relevant knowledge in accordance with the law and accepted applicable principles. Professionals may as part of their professional practice create situations where the law, applicable principles and guidelines become vague and come into conflict with each other or where current principles fall short. In light of the authority that professionals have, lay people and professionals should ask whether they can trust in a professional's discretionary reasoning in these types of situations (Kirkeboen, 2013).

Molander et al. (2012) emphasise that discretionary reasoning needs to address the tension between equal treatment and individual adaptation and to find a balance between adhering to formal rules and applying tailor-made solutions. The distinction between structural and epistemic discretion is thus a crucial consideration in professional discretion. The overall aim of structural discretion is to narrow the room for discretion; figuratively speaking, it aims to make the hole in Dworkin's famous donut smaller.

A key concern to reflect on in professional discretion is accountability. For professionals who need to document their decision-making, such as case-workers in the child welfare services, philosopher Stephen Toulmin's model can be very important (Wallander & Molander, 2014). Family counsellors in the family counsellor services, a low-threshold service, do not have to meet the same formal requirements for reasoning, but it is still part of their mandate to make assessments in the best interests of children and their families. The elements of arbitrariness and variation that can arise from the exercise of discretion are referred to as the "burdens of discretion" (Grimen & Molander, 2008). This burden is seen as a normative challenge when it comes to the trustworthiness of professionals' assessments and decision-making. Zacka (2017) expresses concern about the moral aspects of such situations, where professionals are understood as moral actors with a responsibility to make sensible assessments.

A professional family counsellor in the family counsellor services is expected to comply with applicable laws, such as the Children Act (1981), as well as with professional ethical principles and guidelines as a framework for meetings with children and their families. Although each individual professional carries out their work with the best of intentions, the nature of discretion means that there will be differences in outcomes. Thus, epistemic discretion seeks principally to make processes of reasoning visible. Individual paradigms are important in terms of what professionals "see" when they meet the individual child and the child's family. Statements of discretionary reasoning come to the force when formal rules and guidelines fall short. Discretion as an epistemic category is a judging activity under conditions of indeterminacy. In such a situation, reason must be used to address practical questions.

Practical reasoning is used to decide how to respond to a certain situation while taking consideration of a norm (Grimen & Molander, 2008). The circumstances of a judgement are also of interest as these give rise to conditions that make it unavoidable to use discretionary reasoning in order to come to conclusions in individual cases. Professional discretion requires reducing sources of ambiguity when practical reasoning is used in individual cases. A peculiar and problematic

aspect of discretion is that it exists in a state of tension with its own normative context. As I see it, professional understanding and assessment of the phenomenon of high conflict among parents are elements of a phenomenon that Grimen and Molander (2008) refer to as the mixed and confusing context of discretionary judgement. It is expected that family counsellors in the role of professional street-level bureaucrats will behave in a manner that invites confidence in the professionals making assessments and decisions that affect the lives of others. According to Grimen (2008), the two most important perspectives in the relationship between profession and trust is what trustees do and, thereafter, what trust is in relationships between different people. Trust in professionals entails trust in the competence of the professionals in a relationship characterised by epistemic asymmetry.

Studies of street-level discretion have focused mostly on what influences professional workers' behaviour and the consequences of their choices for advancing or compromising policy goals. Studies rarely focus on the space before action: the processes through which professionals make decisions. There is a difference between understanding a child or family's situation and being able to take action. Also of particular importance is how professionals deliberate with one another over practice challenges within groups dedicated to improving the delivery of social services (Goldman & Foldy, 2015). How professional frontline workers exercise discretion and how they translate policy directives and guidelines into practice, which determines who, how and to what extent children, young people, parents and families receive public services, are fundamental to policy implementation (Lipsky, 2010; Schon, 1983).

### **3.5 Conflict Theory**

The word "conflict" has its root in the Latin noun *conflictus*, derived from the verb *confligere*, which means "to collide" (Blandhol, 2014). In the literature on conflict theory, several attempts have been made to come up with a general definition of conflict as a concept, but reaching agreement on one definition has been a challenge. Instead, definitions have been categorised by their context of use. The reason for

having a general theory of conflict is to have a conceptual apparatus and models that can explain the processes of the development of conflict and why different conflicts develop differently. However, a general theory of conflict should also have a practical purpose and provide a tool for dealing with conflict (Blandhol, 2014). As people are social creatures, conflict is a social phenomenon. The theoretical underpinnings to understanding conflict theory are social psychological processes at the interpersonal, intergroup, organisational and international levels (Coleman et al., 2014). To an extent, the differences between people create distance and barriers to communication and increase the chance of conflict. Although problematic differences are a necessary precondition of conflict, they alone are not a sufficient cause. If differences do not affect people in their daily lives, there is little cause for conflict. The situation changes if people are somehow connected to one another (Ekeland, 2022). The conditions of dependency and interaction, as well as incompatibility, appear in various definitions of conflict. Thomas (1992) defines conflict as a “process that begins when one party perceives that the other has negatively affected, or is about to negatively affect, something that he or she cares about”. This definition emphasises the beginning of a process, the involvement of more than one party and something that someone values. Ekeland (2022, p. 91) offers a broader definition applicable to interpersonal social conflict: “We can talk about conflict when differences between people who are dependent on each other are perceived as incompatible and threatening in relation to their own needs and interests, and when tensions and feelings are created because one of the parties experiences that the other uses force to influence the situation to his/her own advantage. In conflict between individuals, emotions can present a particular challenge because they personalise the conflict, and the individuals concerned are left on their own. Kriesberg and Dayton (2012) suggest that conflict often involves disputed social constructions, as the parties to a conflict most likely have different views of the other party and what they disagree about. The parties may have different and more or less incompatible models, metaphors and understandings as to what the conflict is actually about. Coleman et al. (2014) are clear that theory cannot serve as a cookbook for practitioners in the field of conflict resolution. Practitioners need to develop a mosaic of theories relevant to each unique situation rather than relying on one specific theory. There is a need for a general intellectual



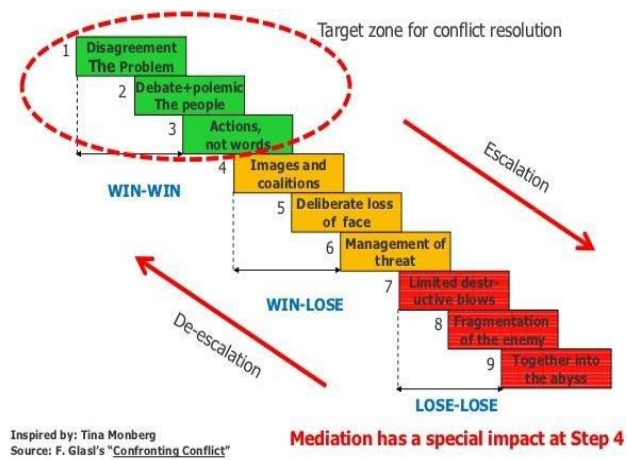
framework for understanding what is going on in a specific conflict and analysing how to intervene. To understand and intervene in a specific conflict one needs specific knowledge about the parties to the conflict, such as their social and cultural contexts, aspirations, conflict orientations and social norms. When a conflict persists over a long period of time, it becomes destructive and resists all attempts at constructive resolution. It can then seem to take on a life of its own. Such a conflict, referred to as intractable conflict, can occur between individuals, groups or nations (Coleman, 2014). Over time, this type of conflict tends to involve many parties, becoming increasingly complicated and giving rise to a threat to basic human needs or values. Intractable conflict usually does not begin as such but becomes intractable due to escalation, hostile interaction and sentiment. In addition, time changes the quality of the conflict. Intractable conflict is typically associated with periods of high and low intensity and destructiveness. It is also often costly in human and economic terms. Intractable conflict tends to become pervasive, affecting mundane aspects of the lives of those involved (Coleman, 2014).

### **3.5.1 Conflict Escalation**

Conflict interactions leading to escalation are processes whereby a conflict becomes more and more intense and hostile. Escalation involves the increasing use of more extreme methods of influence by each party to reach their goal in opposition to the other party (Fisher, 2014). Glasl (1999) developed a model of conflict escalation consisting of nine phases.

**Figure 1**

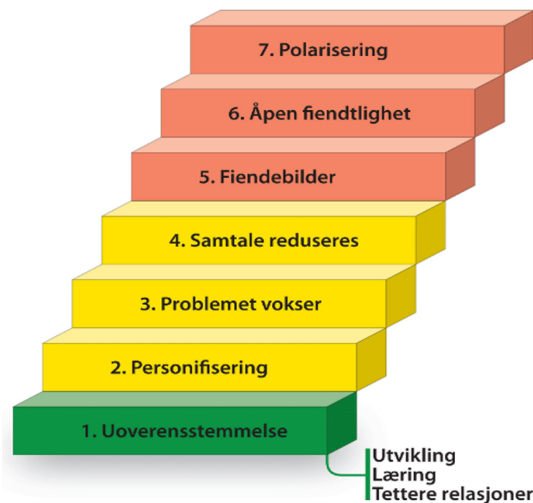
*Model I of Conflict Escalation (Glasl, 1999)*



Further versions of this model have been developed that include seven phases and switch the escalation and de-escalation phases. In this thesis, I have used the latest of these, called “the conflict ladder”, which emphasises the different levels of conflict and illustrates how a conflict can develop from a small disagreement into real hostility.

**Figure 2**

*Model II of Conflict Escalation (Source: [Konflikthåndtering - Idébanken \(enonic.io\)](#))*



On each step of the ladder it is possible to either go up or down the ladder. The steps can be summarised as follows: Step 1) Inconsistency – Here, the parties do not want the same thing and are thus in conflict with each other as they try to achieve things that are important for the respective parties. Step 2) Personification – The parties forget about the issue itself and begin to accuse one another of being the problem. Step 3) A Growing Problem – The parties begin to draw in other conditions that have been challenging in the past. Step 4) Reduced Communication – The parties stop communicating directly because it does not help anyway. On this step the parties begin to seek allies. Step 5) Enemy Images – The parties begin to see one another as the enemy and an “us versus them” situation develops. The conflict is now attracting a great deal of attention from those who are party to it. Step 6) Open Hostility - On this step the parties are clear enemies and attempt to hurt each other where they can, through words or actions. Step 7) Polarisation - On this step the conflict is a clear fact and the ends justify the means.

### **3.6 Wicked Problems**

Wicked problems are problems where aims and solutions are unclear, which makes them difficult to solve due to their complex and interconnected nature. In contrast with tame problems, wicked problems cannot be handled through a system of enumeration phases such as understanding the problem or mission, gathering information, analysing the information, synthesising the information and, finally working out a solution. The dynamic social context in which wicked problems arise means that such schemes do not work, because it is not possible to understand the problems without knowing the context. Furthermore, one cannot meaningfully search for information without orientation of a solution concept, and one cannot first understand and then solve the problem. There are no solutions in the sense of definitive and objective answers (Rittel & Webber, 1973). Possible solutions depend on how the problem is framed. Setting up and constraining the solution space and measures of performance are the wicked part of a problem. Wicked problems are characterised by the involvement of multiple stakeholders who may have radically different world views and different frames of reference for understanding the

problems. The constraints that such problems are subject to and the resources needed to solve them may change over time and/or the problems may never be solved definitively. Wicked problems can occur in any domain where stakeholders have differing perspectives. The usual solutions seem ineffective, there may be disagreement over the nature of the problem and certainly no clarity as to what interventions may resolve the problems. Furthermore, when one tries to solve aspects of a wicked problem, the complex interdependencies that exist may reveal further problems or even create new problems (Rittel & Webber, 1973). Rather than follow the fixed trajectories of pre-existing investigative pathways, in order to address wicked problems both those who are investigating the problems and the decision-makers need to explore the full range of research avenues. Dealing with wicked problems requires critical exploration combined with the capacity for creative thinking (Brown et al., 2010). Imagination is required to overcome the current cultural limitations to the way we think. Brown et al. (2010) emphasise transdisciplinarity as a way of acquiring a collective understanding of an issue within wicked problems. Transdisciplinarity includes personal, local, strategic and specialised contributions to knowledge and is to be distinguished from multidisciplinary enquiry. Multidisciplinarity is seen as a combination of specialisations for a particular purpose between specialisations, which develops into a discipline of its own. Open transdisciplinarity includes the disciplines but goes beyond multi-disciplinarity to include all validated constructions of knowledge, world views and methods of enquiry.

### **3.7 Family Systems Theory**

General system theory was first introduced by Von Bertalanffy (1950). The development of family systems theory has led to a change in the emphasis of research on children and families (Cox & Paley, 2003). Family systems theory is built on research and proposals from biological systems and is the foundation of and starting point for different models of systemic family therapy. Family systems theory predicts and explains how people within a family system interact and how interactions inside the family system differ from those outside of it (Priest, 2021). Family functioning is seen as a systematic whole. This means that the family is a

system of circular communication, where there is reciprocity in all conditions and where everything affects all (Vedeler, 2011). Here the family is viewed as containing resources but it may also contain destructive forces. System theory has evolved over its history to become a more a collective term encompassing several different theories. In this thesis I have chosen to understand it in line with Priest (2021), who leans towards Rosslenbroich (2014) and claims that autonomy and adaptation can be used to unify and clarify the many proposals of family systems theory and its underlying epistemologies. Family systems theory can therefore be condensed into two hypotheses. According to the first hypothesis, the family is an autonomous system that has rule-based boundary-making processes that generate and maintain the family. These processes are distinct from the family system, and they occur across time and remain relatively stable. According to the second hypothesis, the family is an adaptable system where the family system responds to stress from inside and outside of the system by making changes to its rule-based boundary-making processes. The goal of these adaptations is to help the family maintain autonomy (Priest, 2021).

I will now present an overview of the findings in the next chapter.

## **4. Findings**

This chapter summarises the main findings of the thesis's three articles. Copies of the three articles, as well as a Norwegian-to-English translation of Article I, are included at the end of the thesis.

### **4.1 Article I: Deadlocked parental conflict. An analysis of family therapist's discretionary practice in high-conflict cases**

This article, undertook to explore how professionals in Norwegian family counsellor services assess care of the child when the parents are involved in enduring parental high conflict. The following research questions were linked to the study: 1) how do family counsellors assess the potential risk attached to the care of two children based on a situational description (vignette) and 2) is there a correlation between the assessment of high risk and low risk and the inclination to report a concern to the child welfare services?

The study was built on family counsellors' assessments of a vignette illustrating a parental conflict. The vignette was designed with the expectation that the situation would challenge the family counsellors' ability to make expert judgements. One hypothesis was that their risk assessments would differ and that there would be dissimilarities in their reasoning and decisions. The mandate of the family counsellor services is based on the family as one unit. Thus, differences could also be expected with regard to whether the responses were parent-centred or child-centred.

The findings from this study show that the family counsellors involved emphasise similar factors in their assessments. In the analysis, the following five categories were identified: 1) consequences for the children, 2) competence of the parents as caregivers, 3) participation of the child and the child's perspective, 4) shared custody and 5) duration and level of conflict. However, the family counsellors' reasoning differed with regard to their assessments and whether they assessed the risk to the children as high or low. They also differed in their considerations of whether they should report the situation to the child welfare services.

This study shows what the family counsellors emphasised in their assessments. However, there were differences in their reasoning for and assessment of whether the children were at high risk or low risk of child maladjustment.

#### **4.2 Article II: Family counsellors' professional assessments when children are at risk due to enduring parental conflict**

The findings in Article I made me curious about the reasoning employed by the professionals. Article II, thus sought to explore the considerations of Norwegian professional family counsellors when handling parental conflict where children are at risk of maltreatment due to parental conflict. These disputes present complex clinical challenges and are often considered as grey area when determining whether a situation is a family matter or whether assessment is needed from the child welfare services. The research question posed in this article is as follows: how do family counsellors outline and handle the question of appropriate interventions for children involved in high conflict disputes?

The analytical approach was inspired by reflexive thematic analysis and built on the open-ended responses from the survey in Article I combined with an analysis of the transcriptions of the focus group interviews with family counsellors. Four themes emerged as potential solutions for family counsellors: 1) expanded efforts in family counsellor services, 2) external low-threshold services, 3) legal proceedings and 4) whether or not to notify to child welfare services. The findings of this study show that family counsellors are concerned about children involved in parental conflict, but this concern does not necessarily manifest in reporting to the child welfare services. Our findings show that the family counsellors prefer to utilise their own services and that of other stakeholders in such situations.

The article makes the point that professional thresholds for intervention and risk of child maladjustment are challenging aspects of practice in parental high conflict cases. Another point made is the difference between questions such as reporting concerns to the child welfare services in general versus assessments and the question of whether to report in specific cases.

### **4.3 Article III: High conflict as wicked problems from the perspective of family counsellor and child welfare services in Norway**

This article seeks to explore how the professionals in Norway's family counsellor services and child welfare services understand and experience high conflict. It asks the following research question: how do professionals in the family counsellor and child welfare services understand and experience high conflict in terms of complexity?

The data was analysed through the lens of reflexive thematic analysis and examined two focus group interviews conducted with experienced professionals working in the family counsellor services and two focus group interviews with experienced professionals working in the child welfare services. The following themes were identified: 1) conflicting agendas are a cause of stress in the family system, 2) unclear definition of high conflict, 3) being a professional working on high conflict, and 4) calls for further knowledge and resources and for a transdisciplinary approach. Tame and wicked problems are used as a theoretical frame of reference to discuss whether high conflict cases can be understood and framed as complex and wicked problems.

The analysis shows that the professionals seem to be easily entrapped in parents' conflict-based system, and that feelings of powerlessness and exhaustion often arise when they are trying to help children and parents. Unclear interpretations and understandings of the phenomenon of high conflict also complicate assessments and the ability to help. Due to the complexity, unpredictability and instability of high conflict, we argue that high conflict as a phenomenon fits within the framework of wicked problems.

In the following chapter I will discuss the overall findings of this study.



## **5. Discussion**

This study has its origins in a Norwegian context, where the research on professionals' assessment of parental high conflict family situations has been sparse. The purpose of this research has been to fill a gap in the empirical research. The overarching research question is as follows: *How do professionals in the family counsellor services and child welfare services understand and assess enduring parental high conflict?*

The discussion below follows the logics of the questions and findings as addressed in Articles I, II and III. The findings are discussed with reference to theoretical perspectives and relevant research literature. At the end of the thesis, an overall discussion of three articles' findings will reflect on whether it is time to search for new ways of thinking about professional understanding and assessment of parental high conflict.

### **5.1 Professionals' Understanding and Assessment of High Conflict**

The professionals in this study are family counsellors and child welfare case workers. The background information provided indicates that the family counsellors and child welfare case workers were educated as social workers and psychologists. Most of them completed higher education at the master's level or additional specialist education and several years of clinical experience (section 1.3.5). In terms of educational background and length of clinical experience, it is reasonable to expect that the professionals in this study have a combination of knowledge, practical experience and experience of the meaning, purpose and feasibility of the so-called "mysterious quality" of discretion (Eraut, 1994). The professionals can also be expected to have acquired the ability to make assessments of parental high conflict in accordance with certain standards as part of their role as gatekeepers and as part of their responsibility to provide child and family welfare services (Dworkin, 1977; Lipsky, 2010; Terum, 2003).

On the one hand, mandates and jurisdictions mean that family counsellors and child welfare case workers are compelled to emphasise the child's best interests when a child is entangled in parental high conflict (Child Welfare Act, 2021; Children Act, 1981; Family Counsellor Services Act, 1997). On the other hand, how they understand the phenomenon of parental high conflict, carry out clinical assessments and make decisions regarding interventions is at the heart of sensible assessment and accountability (Molander et al., 2012; Zacka, 2017). A complicating factor is that discretion is a source of tension by its very nature. From this perspective, parental high conflict involves a normative dimension as there are no clear facets. Individual and family-level factors are of central importance in the professional's understanding and analysis of child and family welfare. Family counsellors and child welfare case workers need the capacity to undertake, and distinguish between, structural and epistemic measures as part of unified assessments and interventions for a wide variety of individuals and families (Molander et al., 2012).

### **5.1.1 Understanding Children and Parents**

The findings of this study show general concern among professionals for the children involved in parental high conflict. It comes as no surprise, however, that professionals find it easier to express concern when asked in general terms as Article I shows in particular. It is essential to being confident about how to act responsibly as a trusted professional in such cases. Epistemic measuring challenges professionals' accountability in each unique case and in this respect, the findings indicate the complexities of professional discretion. The need to assess each child, young person, parent and family has to be weighed against general considerations. As regards general group assessment, it is interesting to see how professionals think about children entangled in parental high conflict. In the survey conducted for this study, the respondents regularly used the expression "warzone" when describing how they see the children's situation in general. In the focus group interviews, one of the informants described the children as "extremely skilled balancing artists". These expressions are in line with studies where such children have been referred to as "the chameleon child" (Garber, 2015) and "kids in the middle" (Van Lawick & Visser,

2015). In contrast with such labelling, Harvey and Fine (2011) emphasise how differently individuals experience and cope with parental conflict. Whatever the situation in life they are exposed to, children and young people will always react in a variety of ways to the stress. It is understandable that labelling happens in practice, but as shown, there may be a difference in how one assesses this in general as opposed to in a unique situation. Even if one uses labels to describe a specific situation, where parental high conflict is concerned it is always essential that professionals making assessments relate to the unique, individual child and young person within the family system. If one uses labels and thinks too quickly, there is a chance of mistakes being made early on (Kahneman, 2011). In this regard, Hald et al. (2020) argue that it is important to identify high-conflict breakups clinically, legally and societally when introducing their “Divorce Conflict Scale” as a measure, thus making it challenging to do in practice. In this study, the professionals refer to parents’ inability to understand how much their parental conflict damages and destroys as madness. The professionals also indicate that it is no wonder when a parental conflict becomes a crisis. The parents involved in such conflicts are fighting for the dearest, most important people in their lives, a battle which also involves a person they were once close to: their partner. Sometimes the partner had been “*the closest*” person during a period of their life. The professionals also face challenges to their understanding and assessment of what is going on from the parents’ closest relatives and network, who often get drawn into the conflict. As a result, the professionals deal not only with the children and their parents, whom they meet face to face, but also with the “invisible” close relatives or networks in the background. The professionals in this study mention several families whose family trees have several broken branches. The extended family situations challenge the professionals to expand their current understanding and assessment.

Studies suggest that middle-class parents and middle-class socio-economic status present a challenge in the assessment of emotional neglect in affluent families (Bernard & Greenwood, 2019; Sudland & Neumann, 2021; Aadnanes, 2017). Kitterød and Wiik (2017) show that shared residence has become more widespread among most groups of Norwegian parents, and one in four parents who share residence report moderate or high levels of conflict. In this study, the professionals

were clear that the parents they encounter who are entangled in high conflict come from all classes of Norwegian society and they did not make a point of the parents' positions or educational level.

If one views the findings of this study in relation to the points that follow, it is possible to see the understanding of children and parents entangled in conflict in a broader light: 1) characteristics of parents who are in a situation of emotional arousal, cognitive dissonance and dualistic thinking (Asen & Morris, 2020; Neff & Cooper, 2004), 2) the characteristics of conflict and conflict escalation (Coleman, 2014; Glasl, 1999) and 3) system theory with regard to how the family as a system is unlikely to be receptive to proposals for solutions outside its system (Priest, 2021).

### **5.1.2 The Difficult Cases**

As discussed in section 3.5 of this thesis, it has been challenging to arrive at one general definition of the concept of conflict. Definitions have instead been categorised by the context of its use (Blandhol, 2014). Conflict theory in general suggests a number of theoretical underpinnings that can aid in understanding and dealing with conflict. In the light of conflict theory (Coleman et al., 2014), conflict escalation and the conflict stairs (Glasl, 1999), the knowledge provided by assessments and decisions on how to act is insufficient in cases of concern. It is also necessary to have knowledge and expertise regarding the consequences for children entangled in parental high conflict.

In family situations like these, professionals can contribute to escalating or de-escalating the conflict, by “lighting the fire even more” at different levels of the conflict ladder. Besides conflicts over custody and visitation rights, a number of other issues play a role in engaging the emotions of individuals and within the family as a system in parental high conflict. Other important factors here include financial considerations, potential loss of status, relatives, networks, the loss of material objects such as homes and so on. A range of concerns are involved when professionals meet with parents involved in parental high conflict who are balancing on the conflict ladder.

Asen and Morris (2020) claim that parental high conflict is a counter-transferential phenomenon that puts considerable pressure on practitioners. Such conflicts test professionals' capacity to maintain a mentalising stance, which most likely is challenged due to the complexity of the phenomenon. On the basis of the findings in this study, Articles I, II, and III show that professionals find parental high conflict difficult and challenging, regardless of the service, jurisdiction or mandate involved. In the focus group interviews, they refer to these conflicts as "*the most difficult*" cases. This is a crucial point worth dwelling on, as professionals in the specialised services are expected to have a high level of trustworthiness and accountability. This shows that parental conflict assessments are more complex than more straightforward assessments, which most people can relate to and agree upon (Kirkebøen, 2013; Wallander & Molander, 2014; Zacka, 2017). In a slightly different vein, it can be asked whether parental high-conflict cases, known as the "most difficult cases", may become an extra burden or else motivate the professionals. When a situation is experienced as difficult, one may feel paralysed or, conversely, stressed and worried about needing to take immediate action without due considerations. In situations like this, fast thinking and slow thinking have relevance for professional discretion and the capacity to maintain a mentalising stance. At this point, it is an essential element of professional discretion to have sufficient space before taking any action so as to conduct a sensible professional assessment when dealing with arbitrariness and variation (Grimen & Molander, 2008; Kahneman, 2011). Not until there is agreement about what is difficult about a situation can there be an actual issue to discuss (Ekeland, 2022). Ekeland (2022) also refers to fundamental attribution theory (Ross, 1977) as a tendency to focus too much on people's human characteristics in a search for the causes of an action whilst underestimating the context and situation. It is quite typical in conflict situations for the circumstances to activate this tendency. The need to make sense of and explanations for what is at stake means there is a tendency to draw fast and simple conclusions (Ekeland, 2022).

A question worth asking is whether the professionals might start thinking about these cases by using "everyday casuistry", whereby they attempt to discern which category or paradigmatic case a given client belongs to (Zacka, 2017). If so, then, as

part of their assessment, professionals might sort clients to decide how to respond to their request or sort their expectations of what is to come in the assessments. If a professional has already decided in advance of meeting with the children, young people and families concerned what kind of situation they will be assessing, then there is reason to question their professional discretion. As one of the informants in this study puts it: “High conflict becomes the definition of the problem; it stops us in a way, and we do not know how to handle it.” On the one hand, the experiences derived from casuistic thinking are the experiences of the greatest value. If a professional is aware of a situation in progress, the pitfalls in using everyday casuistry in their thinking may be less of a challenge. Casuistic thinking also provides an opportunity to relate to cases that have been resolved satisfactorily. It is essential that professionals are realistic about what is achievable in individual family situations (Asen & Morris, 2020). If we pursue this reflection further and follow up on the point made in this study in Article III, namely that high conflicts can be understood as wicked problems with no straightforward solutions, then an important question is whether, or to what degree, casuistic thinking and experiences serve to open up or close down a professional’s assessment of a high conflict (Rittel & Webber, 1973; Zacka, 2017).

Due to its nature, parental high conflict can test any professional’s capacity to maintain a mentalising stance (Asen & Morris, 2020). Such conflicts lead to professionals feeling intense confusion, and annoyance and that they are being triangulated against, just as the children feel. Professionals may also feel overwhelmed by the children’s distress and at times may be at risk of becoming aligned with one of the parents. As for being aware of this knowledge and who is the most vulnerable, a statement by one of the professionals in this study provides an important reminder: “When one as a professional gets the feeling of being eaten up by the parents’ conflict, then it is most important to not forget the children.”

When it comes to the family counsellor services in Norway, over the years there has been a national focus on developing preventative and educational programmes on how to focus on mediation and how best to help families involved in parental high conflict (Gulbrandsen & Tjersland, 2017; NOU 2019:20). Over the last couple of

years, the child welfare services have also started projects to develop educational programmes for parents as part of their services. Tests on customised methods have begun, but as yet there is no published research. Thus, despite the best of intentions, families trapped in high conflict, and possibly involved with multiple services, may experience a weariness due to their exposure to a variety of services and educational programmes. Such involvement with different services and programmes, on top of the emotional intensity of being trapped in enduring high conflict, may cause even more stress, both to individuals and to the family as a system. Seen from a systemic perspective, these professional interventions may lead to resistance rather than collaboration, as the solutions do not come from the parents themselves within the system. Based on an understanding of parental high conflict within the framework of wicked problems (Rittel & Webber, 1973), a variety of measures are needed. Most importantly, the services need to be coordinated so as to be adequate for the purpose rather than another burden within an already stressful situation.

### **5.1.3 Who to Focus on in Assessments of Parental High-Conflict Cases**

The overall findings of this study show that professionals are genuinely concerned about the children entangled in parental high conflict. At the same time, it is clear that the professionals understand and make their assessments of these cases within different sets of jurisdictions and mandates and using different sets of institutional logics (Alvehus, 2021; Alvehus & Andersson, 2018; Freidson, 2001). Family counsellors are mandated to provide services under the Children Act (1981), which regulates relations between private parties, including relations between children and parents. The child welfare services have been given the mandate by the authorities to make interventions where parents and children are concerned (NOU 2017:8). It is at this point that the connections occur between the institutional logics of the different services and the knowledge base and understanding of each professional, with consequences for practice and the assessment of children and their families (Haug, 2018).

Parental high conflict puts parents in a crisis characterised by emotional intensity. A key aspect of parental high-conflict assessment relates to the conflict's potential to

emotionally harm the children. High conflict as a risk factor is categorised as emotional neglect, a kind of harm that is challenging to assess (Corby, 2006; Glaser, 2002). Another aspect of high-conflict assessment is predicting future consequences, with parallel awareness that the passage of time during childhood is a vital concern when a child's welfare is threatened by potential maladjustment. Furthermore, the experience of a high level of emotional intensity may not be limited to the family members directly involved in a high conflict. Research shows that professionals also struggle as a result of both the complexity of a high-conflict situation and trying to decide who to focus on – the children, the parents or the family as a whole? – in order to maintain a balance. An interesting question is how the professionals in the different services understand the phenomenon and reflect on parental high conflict in terms of family life and the making and breaking of family ties (Asen & Morris, 2020). Even though the child's best interest is a clear intention of both services, the services are both caught up in a way of thinking that embrace the issues they deal with (Freidson, 2001; Hayes & Spratt, 2009). As for balancing these aspects of assessment, it is possible that professionals may find themselves entangled in the conflict as part of the mechanisms of the conflict itself. Nevertheless, professionals always need to make the effort and strive to do their best in their contact with children, parents and families.

#### **5.1.4 Which Perspective to Focus On**

Children's and parents' rights to contact and developmental support, child safety and family preservation can be interpreted as two different rationalities (Fluke et al., 2016; Rød, 2010). As for family counsellors in a low-threshold service, system theory is a traditional foundation for family thinking (Priest, 2021). Seen from a risk (Haug, 2018) and resilience perspective (Armstrong et al., 2005), the jurisdictions of the child welfare services oblige them to weight the risk perspective heavily as part of their mandate. On the one hand, it is a risk factor for children to grow up in a family characterised by parental high conflict. On the other hand, the lens of resilience and the systemic perspective of the active and competent child offer another perspective according to which children may function well in one domain, despite the traumatic



experiences in the family domain, the so-called spillover effect. The growing literature on resilience and positive developmental outcomes shows that the effects of traumatic experiences do not necessarily spill over from one domain of functioning into another (Masten & Narayan, 2012; van der Wal et al., 2019). From a resilience perspective, the professional's duty is to help and strengthen children and young people so that they can manage and cope within their family system, despite the parental high conflict (Huglen et al., 2020; Stokkebekk et al., 2019). Olkowska et al. (2020) points to a variation of the same: the dichotomy of professionals seemingly caught between different considerations. Focusing on the parents may be understood as contradicting the need to focus on the children, and vice versa. This mechanism became clear when social workers were engaged as family counsellors as a service measure organised within the child welfare services (Olkowska et al., 2020).

It is useful to consider this dichotomous way of thinking to understand the findings of this study. Although the jurisdictions give instruction on how to focus, in practice the conflict makes it challenging to choose who to focus on to maintain balance, and from which perspective to argue from. The professionals in both services seem to be trying to balance the different perspectives, but, ultimately, the mandate of their service tends to tip the scale when it comes to which perspective prevails.

#### **5.1.5 Concerned – But What To Do About It?**

Article I of this study looks at whether professional family counsellors consider the children in a vignette to be at risk of maladjustment, and, if so, whether they consider this to be a high or low risk and whether they think they should report their concern to the child welfare services. The findings show a differing response regarding the duty to report, despite their concern and assessment of a high or low risk of maladjustment. An important question to ask in situations where family counsellors are concerned but consider the duty to report not to be present is how they reflect on this and how they handle the children's situation in practice. The findings show that the family counsellors do express concern for the children, but that this concern does not necessarily manifest in a report to the child welfare

services. Rather, as shown in the findings in Article II, the family counsellors prefer to utilise their own services and that of other stakeholders in such situations. This can be seen as an attempt to keep the services at a low-threshold level, but it can also be seen as an attempt to avoid involving the child welfare services.

The alternatives, and aspects of “what to do” for professionals when handling their concerns about children and parents, are explored and discussed below.

#### **5.1.5.1 Mediation as a Low-threshold Service**

As regards mediation, which is designed to empower parents to make their own decisions about post break-up parenting and to protect children by encouraging long-term parental cooperation (Emery et al., 2014), studies show that mediation services in Norway are currently not considered to offer sufficient support to parents in high conflict. The present-day mediation services are inadequate to help those children experiencing the most conflict-ridden break-ups (Gulbrandsen & Tjersland, 2017; Kitterød & Wiik, 2017; Kjøs, 2017). A key question at this point is whether the children, parents or families profit from mediation as a low-threshold service, considering that low-threshold services may offer a constructive solution. Another factor however, is the length of time that children and parents are involved in low-threshold services if the help is inadequate and a heightened emotional state is the status quo in the family.

#### **5.1.5.2 Court Proceedings as the Parents’ Responsibility**

An alternative is encouraging one or both parents to go through the court system, either due to the level of the conflict or because there is no interest in mediation. What is vital to consider at this stage is whether there is more to gain if the conflict can be addressed the low-threshold level. Another alternative is putting responsibility back on the parents to pursue court proceedings. As shown within the findings in Article II, this responsibility can be seen as consideration of the parents’ autonomy, as it is the parents’ own responsibility to take action where the courts and child welfare services are concerned. Nevertheless, even if a case has been taken to

court and a decision has been made, there is no guarantee that the conflict will de-escalate; rather, the opposite may occur. The court's duty is to make a ruling that is beneficial from a future perspective and rather than to determine what the existing conditions are between the parties (NOU 2017:8). It is doubtful whether parents in conflict would understand or experience the court that way. Parental high conflict involves at least as many psychological and relational issues as legal issues (Emery et al., 2014). Studies consider the question of whether a legal process in court is appropriate within parental high conflict. Conclusions tend to point to the benefit of early intervention (Cashmore & Parkinson, 2011; Rød, 2017). On the other hand, a national report (NOU 2017:8), discusses the balance between mediation by the family counsellor services and the district court, arguing that it may be in the child's best interest for the case to be mediated in the district court as the court can engage a specialist who will attempt to draw up appropriate reports. The court also has a mandate to impose measures, or, alternatively, the parents can accept a settlement, because the process is conducted by a judge with the requisite authority.

#### **5.1.5.3 Child Welfare Services When There Is No Other Alternative**

Another alternative is for parents to take the initiative and request assistance from the child welfare services. There are studies pointing towards challenges and dilemmas in the cross sections between services, despite the attempt of good practice in helping families deescalate parental conflict (Houston et al., 2017; Sudland, 2020). A challenge for the child welfare services is deciding what service to offer. Is the alternative of taking children into custody a way to help (Sudland & Neumann, 2021)? This is a key question that professionals in the child welfare services need to ask when negotiating over whether or not the children's care situations are good enough where there is parental high conflict. Will the children's care situation be better if the child welfare services go to the County Social Welfare Board (not a court but an executive board specialised in dealing with child welfare cases) to argue that the children's caring situation is not good enough? These cases and questions about decisions are among the most intrusive that a society can get involved in where individuals are concerned (NOU 2017:8). In the next step, and as

part of the overall considerations, the dilemma arises as to whether the public welfare services can offer the children a better care situation than the present one. This is an overarching prediction if one is to attempt to take children into public care. The dilemma is whether the solution is to argue for the children to be taken into care, or to continue attempting to provide services in the belief that the children can grow up in their parents' custody, despite the parental high conflict. Arguments that it is important for children to grow up with their parents despite the presence of parental conflict can be seen in studies of preventive programmes (Cashmore & Parkinson, 2011; Huglen et al., 2020; Van Lawick & Visser, 2015). Similar efforts to avoid children being brought into the custody of the child welfare services can be seen in the conduct of the "Family council" as a service measure for families trapped in high conflict (Slettebø et al., 2016).

#### **5.1.5.4 The Question of Mandatory Reporting**

Given the complexity of these cases, another important question can be approached by considering Ainsworth (2002), who asks whether mandatory reporting makes a difference. The public services have the mandatory duty of public services to report to the child welfare services. Given the complexity of parental high conflict, it is very important to consider whether this fulfils its purpose and whether it makes the child's situation better or worse. It is also important to ask whether the parents' rights, which mean that they could potentially report each other to the child welfare services as part of their parental high conflict, serve the purpose and intention of reporting. Parents' right to report each other, and the potential that they may do so, could be another act of "feeding fuel to the flames". Studies show that global assessments of one's former partner strongly influence the degree of conflict and constitute another attitudinal dimension of conflict (Hald et al., 2020; Johnston, 1994). Disrespect for one's former partner has been found to be positively correlated with conflict (Zacchilli et al., 2009). It has further been proposed that a key driver in enduring parental high conflict is hatred and former partners judging each other (Demby, 2009; Smyth & Moloney, 2019). Another consideration is that the child welfare services have considerable power as part of their mandate. From the parent's

perspective, it can be seen as an advantage to have the child welfare services “on their side” in their conflict, either for the child welfare services’ own assessments or for testimony in district court proceedings when parents are battling over custody and visitation rights.

#### **5.1.5.5 Dealing with Professional Concerns**

When the options available to professionals are not capable of fully resolving a situation, it is understandable that they struggle to manoeuvre when dealing with their concern. As parental conflict is a risk factor for children and there are no straight-forward solutions, this study shows that there is concern about how to deal with parental high conflict within the different services. There is also a need for professionals to be aware of the other services’ efforts and considerations and whether certain attempts will escalate or de-escalate the level of conflict and how these attempts affect the care situation of each child involved. Another consideration is the business of the respective service’s daily tasks and the opportunity to broaden perspectives when assessments are complex. Avoiding entanglement in the conflict and becoming another party to it is one of several considerations.

### **5.2 Broadening the Perspective on High-Conflict Cases**

From a critical-realist perspective, one cannot speak of precise “laws” in the social world. Rather, one speaks of understandings of underlying mechanisms that need to be seen as tendencies, which means that one cannot state precisely what is happening. Of primary importance in research is identifying the structures and mechanisms in domain three, which allows the critical realist perspective to focus on one’s stratification of reality, on emergent powers and on open and closed systems (Danermark et al., 2019). I find it interesting to run analyses of the data through this lens to broaden the perspective on high conflict.

### **5.2.1 Revolving-door Cases while Precious Time is Passing**

As part of this study, documented research shows that children are at risk of maladjustment as a result of being exposed to caught in the middle of parental conflict (Ahrons, 2007; Amato & Afifi, 2006; Cummings & Davies, 2002; Drapeau et al., 2009). Parents, for their part, can be understood as being in crisis. The professionals find such conflicts challenging to assess and also find it challenging to engage adequate services. When several services are involved, there is a risk that these children and families become “revolving-door cases”, as put forward by Houston et al. (2017). The professionals, as Article III of this study shows, reflect on the dilemma of the precious time of childhood passing while professionals struggle to engage appropriate help within their services. These situations can occur either when there are expectations of other services’ duty to help, or, alternatively, when one is not confident in the other services’ assistance and the professionals attempt to struggle on further within their own service. As previously shown, the court is thought of as an impartial alternative where parents can seek help. However, the adversarial nature of the court system can contribute to further escalation and polarisation of the family system. Studies show that preventive services need to be developed to help parents resolve arrangements for children without going to court (Asen & Morris, 2020; Bream & Buchanan, 2003; Cashmore & Parkinson, 2011). As parents becomes focused on winning a case, the losers are almost inevitably the children, whose emotions and loyalty are no longer considered. Decisions are made in an attempt to resolve the children’s care situations, but these are often obscured by the emotive conflict raging between the parents, extended family, friends and sometimes even the professionals. These situations can be seen as “muscle mediation”, where professionals encourage nonconfidential mediation prior to a formal ruling (Emery et al., 2014). The court makes a “muscle decision”, but one or both of the parents may disagree with the court’s decision, and unfortunately, a side effect of the court trying to resolve family problems, is the occurrence of dysfunction, and the parties involved being injured (Clemente & Padilla-Racero, 2021). The parental conflict then has the potential to escalate even further as a result of all the claims and arguments made as part of the litigation. As a consequence, the

conflict could potentially go back to the family counsellor services or, child welfare services, or to both.

Thus, there are important reasons to identify parental high conflict, including clinical, legal and societal reasons. Additionally, there is a cost both to children and their families and to the public services in terms of time and resources. As regards the family counsellor services and child welfare services, these cases are a load on the court system. As such, parental conflict takes up a lot of public administration time in terms of case management trajectories (Hald et al., 2020). The research and findings of this thesis lead me to suggest that this may be a good time to question the philosophy and construction of the Norwegian public system in terms of how public services are thought of in an attempt to accommodate the individual children, young people, families and professionals involved in parental high conflict. The professionals have made it clear that they are struggling within their services as a result of the complexity of parental high conflict as a phenomenon.

### **5.2.2 Reproduction of Structures and Mechanisms**

Three factors that are fundamental conditions of science are 1) the ontological gap between what we observe and what we experience (the empirical), 2) what really happens (the events) and, most importantly 3) the reality of the structures and mechanisms that produce the events (Danermark et al., 2019). In light of these factors, valuable research explores and explains a phenomenon by revealing and discussing the mechanisms that produce it (Bhaskar & Danermark, 2006; Danermark et al., 2019). A key aspect of this study has been its emphasis on the mechanisms of the third domain of critical realism theory, the mid-domain. Within this domain, the perspective of critical realism suggests a consciousness of structures existing within systems before, as in this study, the professionals make their assessments and consideration of actions. The way the system and services are organised provides guidance for the content of professional discretion, and the professionals reproduce these structures by way of their actions. At this point it is interesting to reflect on the findings in this study, because a national guide emphasising professionals dealing with cases at the intersection of the Children Act

and the Child Welfare Act was published in 2013 (Ministry of Children Equality and Inclusion, 2013). However, Sudland and Neumann (2021) and the present study indicate that professionals are still struggling in their daily clinical work. Another national public report (NOU 2017:8) assesses the new court arrangements for parental disputes, child welfare cases and immigrant cases. The concern of both of these national publications is the best interest of the child and family. NOU 2017:8 uses the term “double-track cases” and focuses on the court system’s approach to dealing with cases when both jurisdictions; the Children Act (1981) and the Child Welfare Act (2021), are of consideration. NOU 2017:8 concludes these cases represent a small number of the total cases. However, although the cases may be considered small in number, they are still experienced as challenging in view of predictions for the future of the children involved.

The critical realism perspective emphasises awareness of the relationship between language and reality, as language is an important instrument for exploring reality (Danermark et al., 2019). In this regard, it is interesting that professionals in this study say they are unsure whether parents understand the term “high conflict”. As part of their process of reflection, the professionals are also unsure how they as professionals relate to the concept and how the concept may be unclear to parents. The professionals argue that, for the sake of prevention, there should be more awareness of the phenomenon and its consequences generally among parents. As regards professional terminology, and in this case the complexity of high conflict, there is an obvious reason to be aware of the use of language and the content of the concepts used in clinical practice. If they are not aware of language and terminology use, professionals without content may reproduce mechanisms because they think they understand them and do not double check. As the professionals stress that knowledge of parental conflict should be more general, the lack of such knowledge could indicate a mechanism that is unintentionally perpetuating a conflict.

### **5.3 High Conflict from a Meta Perspective**

Longitudinal studies show that the life-course effects and risk of maladjustment as a result of parental high conflict are well-documented (Ahrons, 2007). The overall



research question asked by this thesis is how professionals in the family counsellor services and child welfare services understand and assess enduring parental high conflict. This question has been explored in three articles, with the findings in Article I leading to the exploratory focus of Article II, and the findings in Article II led to further exploration in Article III. In the analysis of the data, the theoretical framework of wicked problems has been key to understanding the complexity of parental high conflict.

### **5.3.1 Parental High Conflict as Complex and Wicked Problem**

Using the framework of wicked problems to understand parental high conflict, professionals understand and make assessments by analysing the complexity of several components of an interconnected nature. The professionals are given different mandates and jurisdictions by the authorities to regulate their services and assessments. As the child's best interest is a normative concept, how children, parents and family life are understood can also vary according to the theoretical perspective, such as risk and resilience, or the service that one represents. Interpretations can also vary by different context and the individual professional. In this study, the understanding of parental high conflict as a complex and wicked problem became particularly interesting in the analysis of the focus group interviews. The professionals from both services struggled to find adequate solutions for family matters involving complex interdependencies. When attempting to resolve one aspect of the case, they would find themselves caught up in new problems. Parental high conflict as understood within the framework of wicked problems, is a complex issue that defies full definition. For the professionals, this means the solutions they are seeking are not true or false or good or bad, but rather the best solution that is possible at the time (Rittel & Webber, 1973). As the wicked problems perspective recognises that critical exploration needs to be combined with the capacity for creative thinking in order to analyse parental high conflict, which is full of paradox, uncertainty and complexity, it is an inspiring perspective from which to reflect on this type of conflict.

### **5.3.2 Thinking Beyond Silos about Complex Parental High Conflict**

As regards wicked problems, there are no solutions in the sense of definitive and objective answers. The answers depend instead on how the problems are framed (Rittel & Webber, 1973). In Norway, three public services have been given the primary mandate to deal with child and family issues, parental high conflict included: the family counsellor services, the child welfare services and the district courts. Although the services all have the best of intentions, it has been shown in prior research and in this study that professionals struggle within their services to offer adequate help. Because the jurisdictions, mandates and institutional logics vary, it means that the perspectives and demands for action also vary. The different services can be seen as exemplifying silo thinking (Kaufman et al., 2014). The present study shows that the different services expend effort to develop preventive and educational programmes suitable for helping the children and parents within their own systems. As a result, the experience of trust and collaboration between the services seems to vary despite their good intentions (Samsonsen et al., 2022). As for the complexity of aspects in a parental high conflict, it is questionable whether the effect of mandatory reporting to child welfare services for other public services serves its purpose. The fact that parents are able to report each other as part of the conflict is also a questionable aspect of these particular family situations. It is also important to ask whether developing methods within the different services is constructive for solving this type of complex conflict (Coleman, 2014; Glasl, 1999). At times, the professionals may even unintentionally add fuel to the flames when they consider solutions only within their own service. In Article III, we suggest that parental high conflict is a wicked problem due to its intricate nature. For this reason, traditional silo thinking cannot be used to solve wicked problems. This argument raises the question of thinking in new and creative ways about how systems are organised that goes beyond the professional services. On the basis of the findings of this study, I argue that it is time to think beyond silos and for the family counsellor services, child welfare services and court systems to collaborate and identify optimal ways of assisting the children and families entangled in complex and wicked parental high conflict. This argument is offered as an attempt to help professionals that encounter families where the parents who are heading upwards, or escalating,

on the conflict ladder. How we can help parents come down the ladder instead of going up is of the essence.

### **5.3.3 Time for Transdisciplinarity?**

Researchers have developed different models in an effort to help with assessments and how the services can deal with this type of conflict (Asen & Morris, 2020; Polak & Saini, 2019; Smyth & Moloney, 2019; Van Lawick & Visser, 2015). However, as documented, the professionals are still struggling. By approaching the phenomenon of parental high conflict as a complex and wicked problem (Brown et al., 2010; Rittel & Webber, 1973), the findings in each of the three articles of this study demonstrate that critical exploration and the capacity for creative thinking are needed (Brown et al., 2010).

If one considers parental high conflict through the lens of critical realism (Bhaskar & Danermark, 2006) and the framework of wicked problems (Rittel & Webber, 1973), then transdisciplinarity, understood as a way of enriching understanding and a synergy of new methods to achieve innovative goals (Brown et al., 2010) emerges as an interesting approach. Using the three perspectives together is inspiring as a broader meta perspective for analysing the phenomenon of parental high conflict further. A challenging aspect of transdisciplinarity is the centrality of imagination when it comes to overcoming the current cultural limitations in ways of thinking. This perspective emphasises a collective understanding of an issue, which includes personal, local, strategic and specialised contributions to knowledge (Brown et al., 2010), thus distinguishing transdisciplinarity from multidisciplinary enquiry. It is of fundamental importance to understand a phenomenon in order to provide adequate assistance to children, young people and parents from a life-course perspective. Professionals dealing with family issues are expected not only to understand, but also have the ability to take actions. It is interesting to think of service systems as silos expected to collaborate as needed, rather than to open themselves up to a broad rethinking of a phenomenon. It may “hurt” to rethink things, it may be time to do so nevertheless. The process of overcoming current limitations and rethinking and investing may also “hurt”. To accomplish this, however, it is necessary first and

foremost to accept that parental high conflict is a complex phenomenon that cannot be approached as a situation of enumeration phases in order to understand and assess it.

## **6. Concluding Comments, Implications for Practice, Limitations and Ideas for Future Research**

In this chapter I will reflect on the thesis in terms of implications, limitations and ideas for future research.

In this study I have explored professionals' understanding and assessment of the phenomenon of parental high conflict. This opportunity to analyse and present the professionals' reflections on their clinical practice has yielded valuable insight into what is at stake and why the phenomenon is described as difficult by experienced professionals. The study shows that children, young people and their parents experience an enduring state of heightened emotions when entangled in parental high conflict. Professionals, for their part, struggle to engage adequate help. The professionals make assessments by balancing structural and epistemic aspects of discretion in accordance with premises provided by the national authorities (Molander et al., 2012). The professionals' discretion and the structures and mechanisms within which the professionals understand and assess parental conflict as "difficult", are of interest from an extended meta perspective.

Street-level bureaucracy is not straight-forward (Lipsky, 2010), and as the analysis and reflection in this thesis show, in parental high conflict there is a need for complex assessments, where professionals face challenges in their efforts to provide adequate assistance. Although these findings come from a Norwegian context, international studies show a similar experience of this phenomenon despite differences in jurisdiction and organization of the services.

### **6.1 Implications for Practice**

In Norway, several public documents indicate that assessments by the family counsellor services and child welfare services of children's best interest need to be

conducted by professionals with the requisite knowledge and skills (NOU 2016:6; NOU 2017:8; NOU 2019:20).

The research and literature indicate that professionals struggle within their services with the complexity of high conflict, regardless of mandate and best intentions. I thus believe it is time to emphasise a transdisciplinarity perspective when discussing the welfare of children and young people entangled in parental high conflict. I recommend not only conducting research on professional discretion but also submitting the structural mechanisms related to the services' different mandates, structures, institutional logics and power to greater scrutiny than at present. Given this complexity, it is time to adopt a broader perspective in order to understand and assess parental high conflict.

## **6.2 My Reflections on Limitations of The Study**

This study is based on data from a survey and focus group interviews, which is present in three published articles. The articles' findings have been incorporated within the overall discussion of the thesis. A PhD study is a small-scale study and may have weaknesses. The survey on which Article I is based, reached out to all 47 family counselling services in Norway. I received responses from 115 employees. The empirical data in Articles II and III comes from four focus group interviews including two of the family counselling services and two of the child welfare services. In qualitative studies, there is always a question of whether to reach the saturation point. There will always be a question about the number of groups included in the selection of informants and the geographics relative to the research question. These considerations are of course relevant reflections to the conducted study and three published articles. A further question is whether the focus group discussions would have been different had the professionals been mixed together in the groups, for instance, having both of the focus groups interviews attended by three family counsellors and three child welfare case workers. Last but not least, with regard to the theoretical frame of analysis I have chosen as lens through which to interpret the data, the use of another lens might have changed the focus.

### **6.3 Ideas for Future Research**

Although the present thesis has explored parental high conflict, future research can expand on the topic in several ways. In the light of a transdisciplinary perspective (Brown et al., 2010), a need is visible for research undertaking to think creatively to allow new ideas to develop. It is time to be more creative and look at phenomena outside of the services so as to take a whole society perspective on the public services. Research shows that the most challenging cases of parental high conflict represent roughly 10 to 15 percent of the whole (Kitterød & Wiik, 2017). For this reason, these cases may be at risk of becoming revolving-door cases. A fruitful perspective here would be to study these cases and conduct research in an attempt to find extended ways to help and assist children, parents and families. To this end, different perspectives and nuances should be considered to form a broader picture. In view of the complexity, it is understandable that the different systems and services are attempting to find methods for resolving such conflicts. But, when a childhood is passing by and the systems have tried their best, yet the problem persist, it is time to accept this complexity and employ creative thinking that goes beyond silos and traditional perspectives. When pursuing knowledge for application to people and changing societies, we need to be aware that a detailed concrete prescriptions for how things should be done will prove untenable.

As for concrete ideas for future research, one study has already begun to gather data by asking family counsellor services for the reports they have sent to the child welfare services. There is a need to analyse the reasoning used to assess that the obligation to report has been fulfilled. The documentation analysis started in the autumn of 2022.

This thesis began as an introduction to a vignette created for family counsellors, who were asked how they understood and would assess the situation. If professionals are to pursue greater collaboration, then comparison analysis research is needed that presents similar vignettes and questions to child welfare case workers. This could be conducted as a comparative study, but another possibility, which we have already brought up with professionals, would be to conduct an action research study. The idea here would be to seek consent in several cases that involve both the family

counsellor services and the child welfare services with the intention of looking at these cases together and rethinking appropriate ways to help the families outside the context of the different acts, mandates and services.

There is also need for research on cases sent by child welfare services to the County Social Welfare Board, with the request that children be taken to care due to parental high conflict. Of interest here is the argumentation that children are seen at being at such risk that the alternative care situation is viewed as preferable.

I concur with Lipsky (2010), who claims that few callings deserve more respect than those involving public service. As for the children, we owe it to them to continue turning every stone in order to protect their welfare; I could have no greater motivation to conduct further research.



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# Fastlåste foreldrekonflikter

*En analyse av familierapeuters skjønnsutøvelse i saker med høy konflikt*

## *Deadlocked parental conflicts*

An analysis of family therapist's discretionary practice in high conflict cases

FOTO: HØGSKULEN  
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### Sammendrag

Vedvarende og fastlåste konflikter mellom foreldre både før, under og etter et brudd kan være svært belastende og medføre alvorlige konsekvenser for foreldres omsorgsevne og barns omsorgssituasjon. Studier viser at hjelpeapparatet opplever høy konflikt mellom foreldre som utfordrende og vanskelig. Denne artikkelen bygger på en vignettstudie med 115 ansatte ved ulike familievernkontorer i Norge. Studien utforsker hvordan familierapeuter vurderer to barns omsorgssituasjon i en familie der konfliktnivået mellom foreldrene er antatt å være så høyt at det kan utgjøre en risiko for barnas omsorgssituasjon. Resultatene viser at hvilke forhold i barnas situasjon familierapeutene vektlegger i sine vurderinger, er sammenfallende, men at begrunnelsene, vurderingene av høy og lav risiko, samt vurderingen av om en har meldeplikt til barnevernet varierer.

**Nøkkelord:** fastlåste foreldrekonflikter, familievern, barnevern, vurdering av barns omsorgssituasjon

### Abstract

Long lasting interparental conflicts, both before, during and after a break-up can be extremely exhausting, causing decreased parent capacity and children risking maltreatment. Studies show that supporting services experience high conflicts among parents as challenging and difficult. This article presents data from a vignette survey, including 115 employees from different family counselling services in Norway. The study explores how employees assess the situation of two children in a family where interparental conflict is presumed to be at such a level that it can be a risk factor for child maladjustment. The results show that the conditions in the children's situation, which the family therapists emphasize in their assessments, coincide, but that the reasons for the assessments – assessments of high and low risk, and the assessment of whether one has a duty to report to the child welfare service – vary.

**Keywords:** deadlocked parental conflicts, family counselling, child welfare, assessment of children's care situation

## Innledning

Studier viser at det er en økt risiko for barns helse og utvikling ved omfattende og langvarige foreldrekonflikter. Dette gjelder uavhengig av om foreldre bor sammen, om de aldri har bodd sammen og om det er ved samlivsbrudd (Amato & Keith, 1991; Rød, 2010). Det er ekstra uheldig dersom konflikter varer over tid og at den blir det viktigste kjennetegnet ved foreldrenes relasjon (Moxnes, 2003). Konsekvensene av konflikter kan for barn være sammensatte, og vil avhenge av uttrykk, intensitet og innhold i konflikten (Nilsen, Skipstein, & Gustavson, 2012). Avgjørende for barna er hvordan foreldrene greier å håndtere konflikten (Grych, 2005). Konfliktfylte familier er den største utfordringen i foreldremekling (Ådnanes, Haugen, Jensberg, Lossius Husum & Rantalaiho, 2011) og barnevernsarbeidere opplever denne type saker som vanskelige og utfordrende (Jevne & Ulvik, 2012; Rød, Iversen & Underlid, 2012; Saini et al., 2012). Studier viser at noen barneverntjenester mottar en eller flere bekymringsmeldinger pr. uke på bakgrunn av foreldrekonflikter (Rød et al., 2012) og at samarbeidet mellom familievern og barnevern i foreldrekonfliktsaker varierer (Collin-Hansen, 2013).

I møte med profesjonelle i hjelpeapparatet er barn prisgitt de vurderinger som gjøres av deres omsorgssituasjon. Et viktig spørsmål for praksis er hvordan hjelpeapparatet vurderer konsekvensen av konflikten for barna og hvor grensen går mellom ivaretagelse av en familie kontra beskyttelse av barn mot omsorgssvikt.

Familieverntjenesten utgjør grunnstammen i hjelpetilbudet til familier med samlivsproblemer, konflikter i parforhold og familie, og er regulert i Lov om familievernkontorer. Dersom foreldre selv ikke greier å løse sine konflikter, skal familieverntjenestene bidra til å dempe konflikter, fremme foreldresamarbeid og rette oppmerksomheten mot barns behov. Familievernkontor kan gi råd i tilbakevendende konfliktspørsmål som ikke har en klar løsning i loven, og sterke og vedvarende konflikter som går utover omsorgen for barn kan utløse familievernkontorets meldeplikt til barneverntjenesten (Barne-, likestillings- & inkluderingsdepartementet, 2013).

I denne studien skal jeg undersøke hvordan ansatte ved familievernkontor vurderer omsorgssituasjonen for barn der foreldrene er i en vedvarende og fastlåst konflikt. Studien har følgende forskningsspørsmål: 1) Hvordan vurderer familierapeuter ved familievernkontor en potensielt risikofylt omsorgssituasjon for to barn ut fra en situasjonsbeskrivelse i en vignett, og 2) er det samsvar mellom vurdering av høy og lav risiko og tilbøyelighet til å melde en bekymring til barnevernet?

Studien bygger på familierapeuters vurdering av en vignett som illustrerer en foreldrekonflikt. Vignetten er konstruert med en forventning om at dette er en situasjon der familierapeutene blir utfordret i sine faglige vurderinger. En hypotese er at det vil foreligge ulike vurderinger av risiko og ulikhet i vektlegging ved begrunnelser og beslutninger. Mandatet til familievernkontorene tar utgangspunkt i familien som enhet. Av den grunn kan det også forventes å være ulikhet hvorvidt svarene er foreldresentrert eller barnesentrert.

## Bakgrunn og kunnskapsbehov

I de senere år har antallet foreldretvister for retten i Norge vært stabilt (Viblemo, Tobro, Knutsen & Olsen, 2016), men mange foreldre blir stående i uløselige konflikter om ordninger for barn i fortsettelsen (Gulbrandsen, 2013). Dette har skjedd også i tiden etter at obligatorisk mekling ble innført Oxford Research (2016). Gulbrandsen og Tjersland (2017) påpeker som et tankekors at det er en stor andel foreldre med store konflikter som forlater meklingen uten å ha fått hjelp. En kan på bakgrunn av dette anta at det også er et økende antall barn som opplever at de utsettes for foreldres vedvarende og fastlåste konflikter i en slik grad at det utgjør en belastning for deres utvikling og trivsel. Et samlivsbrudd kan være en stor belastning for foreldre ved at de blir så overveldet av sin egne smerte og nederlagsfølelse at de ikke lenger er i stand til «å se» barna. Foreldre involverer barn i konflikten de har seg imellom, og barna opplever å bli fanget i konflikten (Collin-Hansen, 2013; Moxnes, 2003). I neste omgang kan dette føre til at barns behov blir neglisjert og at de i ytterste konsekvens utsettes for omsorgssvikt (Tveit & Størksen, 2012; Moxnes, 2003). Begrepet omsorgssituasjon forstås i denne artikkelen som de forhold en familie lever under, og som kan tenkes å ha betydning for barns mulighet til å få dekket viktige behov og muligheter for adekvat utvikling. Et barns omsorgssituasjon omfattes både av forhold ved barnet, ved foreldrene, samspillet mellom dem samt familiens sosiale og materielle situasjon (Bunkholdt & Kvaran, 2015).

Familievernet i Norge arbeidet i 2017 med totalt 38 504 saker (SSB, 2018). Ut fra statistikken er det vanskelig å anslå antall høykonfliktsaker, men tidligere studier viser at antallet synes å være stabilt mellom 10 og 15 % av det totale antallet saker (Ekeland & Myklebust 1996; Moxnes, 2003; Ådnanes, Haugen, Jensberg, Lossius Husum & Rantalaiho, 2011). I 2017 sendte familievernkontorene 641 meldinger til barnevernet. Av disse var 336 meldinger oppgitt i kategorien «høy grad av konflikt hjemme» (SSB, 2018).



Barneverntjenester sin hovedoppgave, regulert i Lov om barneverntjenester (1992), er å sikre at barn og unge som lever under forhold som kan skade deres helse og utvikling, får nødvendig hjelp til rett tid. Barne-, familie og likestillingsdepartementet har pålagt barnevernet økende ansvar for familiekonflikter, og det er lagt føringer for et tettere samarbeid mellom barnevern og familievern samt satt fokus på å identifisere og utrede problemstillinger i skjæringspunktet mellom barneloven og barnevernloven (BLD, 2013). Dette reiser blant annet spørsmål om ansvarsområdet for barnevernet versus familievernet og hvor langt det offentlige ansvaret for barn strekker seg.

Kunnskapsgrunnlaget om familiekonfliktsaker og skjæringsfeltet mellom barnevern og familievern er sparsomt. Det foreligger lite forskning på temaet, og det trengs nærmere undersøkelser for å kunne si om dette er funn som kan generaliseres.

## Høykonflikter

Helland og Borren (2015) peker på at både forskning og praksis mangler en god definisjon av høykonfliktbegrepet, men at det brukes som en samlebetegnelse på konflikter som er så intense og langvarige at de får negative konsekvenser for parforhold, partnere og andre familiemedlemmer som egne barn. Høykonfliktpar kjennetegnes av utpreget mistillit til hverandre, repeterende argumentasjon, liten vilje til å forhandle og kompromisse (Ekeland, 2014). Gulbrandsen (2013) fant at samtaler i høykonfliktsaker preges av skiftende temaer, høyt emosjonelt trykk, og dersom barn ble omtalt, så ble de omtalt som et argument for eller mot noe, og beskrivelser ga sjelden innblikk i barnas reaksjoner. Et sentralt spørsmål ved høykonflikter er nettopp hvor mye konflikten må eskalere før den blir vurdert som høy (Nordhelle, 2016). En konkret helhetsvurdering av hyppighet, varighet, intensitet samt grad av fastlåsthet fra den enkelte og i samspill med hverandre blir viktig. Dette viser at en helhetlig vurdering av en rekke ulike kriterier er nødvendig for å kunne gjøre vurderinger av en konflikts konsekvenser for barns omsorgssituasjon. Bedømming av risiko og predikering av mulig utfall for barn på bakgrunn av høykonflikt mellom foreldre er en del av klinisk skjønnsvurdering. Risiko kan forstås som en forhøyet sannsynlighet for uønsket utvikling hos et barn på bakgrunn av situasjoner barn blir eksponert for.

## Skjønn

Begrepet skjønn er ikke entydig. Ifølge Dworkin (1977) innebærer skjønn at en har en relativ frihet til å gjøre vurderinger i henhold til standarder som er fastsatt av

en myndighet. Utøvelse av skjønn utgjør kjernen i profesjonelt arbeid (Freidson, 2001) og det som karakteriserer profesjonelle i utøvelsen av deres arbeid, er anvendelse av skjønn i samhandling med klienter (Lipsky, 2010). Å utøve skjønn er basert på en forventning om at de som innehar denne myndigheten, har vilje og evne til å utføre sine oppgaver på en faglig forsvarlig og best mulig måte, og at profesjonelle på bakgrunn av sitt mandat kan begrunne sine vurderinger og avgjørelser med henvisning til relevant kunnskap i samsvar med lover og aksepterte gjeldende prinsipper (Molander, 2013). Lipsky (2010) omtaler profesjonelle i velferdstjenestene som arbeider ansikt til ansikt med mennesker, og som har skjønnsvurderinger som en sentral del av sitt arbeid som «bakkebyråkrater». Profesjonelle kan komme i situasjoner der lovverk, gjeldende prinsipper og retningslinjer blir vage, kommer i konflikt med hverandre eller at gjeldende prinsipper kommer til kort (Zacka, 2017). Skjønnsutøvelse må håndtere spenningen mellom likebehandling og individuell tilpasning, mellom å følge formelle regler og å finne skreddersydde løsninger (Molander, Grimen & Eriksen, 2012; Molander, 2013).

Distinksjonen mellom strukturelt og epistemisk skjønn er avgjørende for skjønnsutøvelsen som familieterapeutene skal utøve. Hovedmålet med strukturelt skjønn er å innskrenke rommet for skjønn. Familieterapeuter skal følge Lov om familievern i tillegg til yrkesetiske prinsipper og retningslinjer som ramme for sitt arbeid med familier. Hovedmålet for epistemisk skjønn er å synliggjøre resonneringsprosesser. Den enkeltes paradigmer er av betydning for hva profesjonelle «ser» i møte med den enkelte sak. Redegjørelse for skjønn blir sentralt når formelle regler og retningslinjer kommer til kort i møte med det enkelte barn og familie.

Analysen av familieterapeutenes skjønnsvurderinger i denne studien bygger på Dalglieshs (2003) modell «A general model for assessing the situation and deciding what to do about it» (GADM) som teoretisk rammeverk. Dette er en generell vurderings- og beslutningsmodell. Den psykologiske prosessen med beslutningstaking har ifølge Bauman, Fluke, Dalgliesh og Kern (2014) tre sentrale trekk:

1) For det første er det nyttig å skille mellom en vurdering og en beslutning. En vurdering innebærer å kartlegge en situasjon på bakgrunn av gitt saksinformasjon. Kartleggingen bygger på risikofaktorer, bevisstyrken eller det generelle nivået av bekymring for et barn. Hver av disse kan variere fra høy til lav. En beslutning omhandler hvorvidt en skal sette i verk et handlingsforløp på bakgrunn av oppgitt informasjon og påfølgende vurdering. 2) Et annet viktig trekk i prosessen ved beslutningstaking er terskelen for å ta steget videre til handling. Ved hvilket punkt i vurderingen av tilgjengelig informasjon blir situasjonsbeskrivelsen vurdert til å være intens nok til å gå videre til handling?

Beslutningsterskelen er påvirket av erfaringene og historien til beslutningstakeren. I dette ligger både bevisste og underbevisste tolkninger basert på erfaringer, samt eksterne faktorer og organisatoriske forhold. 3) En tredje funksjon i beslutningsprosessen er skifte i terskelnivå. En individuell faktor som kan innvirke på et skifte av terskelnivå, er erfaring. Andre forhold som kan påvirke, er policy som lager føringer for hvilke saker som skal prioriteres og ikke, samt at barns omsorgssituasjoner og kontekst kan være i stadig endring.

Analysen i denne artikkelen vil fokusere på det første sentrale trekket i modellen, og i metoddelen skal jeg operasjonalisere begrepene ytterligere.

## Metode

### Rekruttering og utvalg

Funnene som blir presentert i denne artikkelen, er del av en større studie om fastlåste foreldrekonflikter, der målsettingen var å nå alle ansatte ved de daværende 51 familievernkontorene i Norge. Rekruttering av informanter startet med informasjon om prosjektet til e-postmottaket ved hver tjeneste, og de ble spurt om de kunne oppgi e-postadressen til fagansatte ved sin tjeneste. Det ble understreket at dette ikke var en henvendelse om å delta i selve undersøkelsen og at ansatte kunne velge det når selve undersøkelsen ble sendt ut. E-posten ble fulgt opp med en telefonsamtale til hver tjeneste. Undersøkelsen ble i januar 2015 sendt ut elektronisk til de 32 av 51 kontor som responderte på henvendelsen, totalt 219 ansatte. Undersøkelsen ble vurdert til å ta ca. 20–25 minutter å svare på. Undersøkelsen ble lukket i april 2015. 115 ansatte svarte (svarprosent, 52,5 %). Det er stor variasjon i antall ansatte ved de ulike kontorene, og det er geografisk spredning når det gjelder hvor i landet informantene arbeider.

### Informanter

Informantene i studien oppga å ha arbeidet i familievernet fra 3 mnd. til 40 år, gjennomsnittlig 11,5 år. Av de 115 informantene var 70 % kvinner og 30 % menn, med en gjennomsnittsalder på 53,5 år. Utdanningsbakgrunnen var henholdsvis sosionom, psykolog, barnevernspedagog, sykepleier, førskolelærer og vernepleier. Felles for alle var at de hadde videreutdanning, master- eller spesialistutdanning i tillegg til grunnutdanning. Erfaringsbakgrunnen i tillegg til de 11,5 årene de hadde jobbet i familievernet var variert, men en fellesnevner var at de hadde lang og sammensatt erfaring fra barne- og ungdomspsykiatri, barnevern, rusomsorg, psykiatri, sosialtjeneste og kriminalomsorg. Bakgrunnsinformasjonen viser at informantene som gruppe har lang arbeidserfaring i tillegg til etter- og

videreutdanning og at de har arbeidet innenfor ulike deler av hjelpeapparatet før de begynte sitt arbeid ved familievernkontoret.

### **Forskningstilnærming**

Som en del av studien ble det konstruert fire vignetter<sup>1</sup> satt sammen med utgangspunkt i elementer som kan vurderes som risikofaktorer for barns omsorgssituasjon. En vignett er en kortfattet konstruert beskrivelse av en person, et objekt eller en situasjon som representerer en kombinasjon av karakteristika (Atzmüller & Steiner, 2010). Vignetter er en metode for å utforske vurderinger av situasjoner så nært opp til det virkelige liv som mulig (Andershed & Andershed, 2015), og sentralt er nettopp at innholdet er praksisnært og troverdig (Finch, 1987). Studien er deskriptiv i form av at det er en analyse av hvordan profesjonelle gjør vurderinger og beslutninger i sin praktiske hverdag (Taylor, 2006).

Vignetten i denne studien er designet for å undersøke hvordan familierapeutene vurderer en gitt situasjonsbeskrivelse, hvilke forhold de vektlegger, hvordan de vurderer dimisjonen av risiko for barnas omsorgssituasjon og til slutt om de på bakgrunn av vurdering og risikovurdering beslutter handling i form av at deres meldeplikt til barnevernet blir utløst. Studien er designet med spørsmål om bakgrunnsvariabler hos familierapeutene, men de er ikke spurt spesifikt i vignetten om hva som er utslagsgivende for deres beslutning om de har meldeplikt eller ikke.

I vignetten som er analysert for denne artikkelen, ble familierapeutene spurt om hvordan de vurderer risikoen for Andreas 10 år og Emma 12 år, der de ble gitt følgende informasjon:

Du har over tid arbeidet med en familie der foreldrene ble skilt for tre år siden. Lene og André har delt omsorg for to barn: Andreas 10 år og Emma 12 år. I samtaler med deg forteller Andreas og Emma at foreldrene krangler om klær, ferier, besøk hos besteforeldre og annen nær familie. Barna sier de gruer seg til ferier og høytider da foreldrene bare krangler om hvor de skal være denne gangen. Dette til tross for at familievernkontoret har satt opp fast samværsavtale. Barna forteller at de må ha doble sett av klær fordi foreldrene ikke vil ha noe inn i sitt hus som den andre forelderens har kjøpt. Dersom de er uheldige og har glemt noe

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1. De fire temaene vignettene ble konstruert rundt, var potensielt emosjonell omsorgssvikt, vold, ulik kulturell bakgrunn og vanskjøtsel. For å kvalitetssikre innhold og problemstilling i vignettene, samt at de skulle oppleves som reelle for informantene, ble de i forkant av studien lest og drøftet uavhengig av hverandre av en barnevernsjef og en familierapeut.

hos den ene forelderens så blir den andre sur. For eksempel mobiltelefonen som de må ha for i det hele tatt å ha kontakt med den andre forelderens. Barna forteller at spesielt Lene blir sur og sint dersom de har glemt eller mistet noen av eiendelene sine. Da bruker hun å si at hun har lite penger og at dersom hun må kjøpe nytt så blir det ikke penger til mat, og de må gå på skolen uten frokost og matpakke. Andreas og Emma sier de aldri blir spurt om hva de ønsker eller hvordan de opplever sin egen situasjon.

Familieterapeutene fikk deretter 4 spørsmål: 1) «Hvordan vurderer du risikoen for barnas omsorgssituasjon i denne situasjonen?» Svaralternativene var gitt i henhold til en 5-punkts verdiskala fra «ingen risiko» til «svært høy risiko». De kunne også svare «vet ikke». 2) «Hvilke forhold i saken er det som gjør at du vurderer risikoen for barna på denne måten?» Her var det åpent svar der informantene kunne beskrive med egne ord. 3) «Ville du tenkt at du har meldeplikt til barneverntjenesten i denne saken?» Her var svaralternativene gitt i en 4-punkts verdiskala fra «ikke sannsynlig» til «svært sannsynlig». Også her kunne de svare «vet ikke». Det fjerde og siste spørsmålet var «Har du andre synspunkt?». På grunn av store variasjoner i svarene og grunnlag for en selvstendig koding er ikke disse svarene tatt med i denne analysen. Spørsmålene i vignetten ble utformet for å belyse teorigrunnlagets punkt 1, familieterapeutene sin kartlegging av risikofaktorer og det generelle bekymringsnivået for barna, og hvorvidt situasjonsbeskrivelsen til barna ble vurdert til å være intens nok til å gå videre til handling ved å tenke at en har meldeplikt i saken.

## Analyse

Totalt svarte 114 familieterapeuter på vignetten. I analysen av spørsmål 1 er svar-kategorien svært lav og lav risiko slått sammen, og kategorien høy og svært høy risiko er slått sammen.

Av de 114 som svarte, var det 106 familieterapeuter som begrunnet sin vurdering av risiko. Det er variasjon i lengde og detaljnivå i svarene som er gitt. Noen informanter gir én begrunnelse for sin vurdering, mens andre gir flere. Det er 9 informanter som ikke har begrunnet sin vurdering.

For å få et førsteinntrykk og helhetsbilde av hvilke forhold som lå til grunn for vurdering av risiko, ble utsagnene lest flere ganger for å forsøke å identifisere fremtredende tema. Deretter ble temaene kodet for å identifisere vurderinger og begrunnelser. Der informanter ga flere begrunnelser i sitt svar, ble utsagnene delt opp og plassert inn i de ulike kodene. 11 utsagn som i analysen ikke ble identifisert

som tema, ble kodet i kategorien «annet». Eksempler er utsagnene «Samarbeidsklima» (resp 104) og «Praktiske utfordringer er noe som nå løses gjennom samtaler på familievernkontoret» (resp 115) som begrunnelser for vurderingen. For å sikre validitet og reliabilitet ble kodingen og forståelsen av enkelte utsagn diskutert med veiledende forsker og gjennomgått av en vitenskapelig assistent (King, Keohane & Verba, 1994). Etter flere runder med gjennomlesing av begrunnelser for familierapeutenes vurderinger av Andreas og Emma sin omsorgssituasjon, er det fem tema som er identifisert som kategorier.

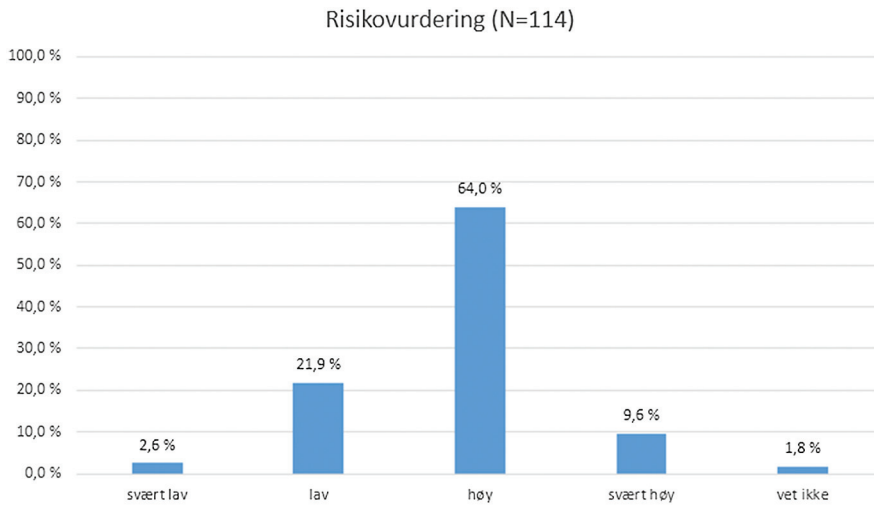
### **Begrensninger**

Ved anvendelse av vignett som metode vil det ofte bli stilt spørsmål til realisme, kompleksitet og hvorvidt informantenes svar reflekterer de vurderingene de ville foretatt i praksis. Vi kan ikke med sikkerhet vite hvordan familierapeutene ville vurdert Emma og Andreas sin omsorgssituasjon i en reell situasjon. Svarene vil likevel gi innsikt i hva familierapeutene fester seg ved, og svarene gir mulighet til å sammenligne mellom respondentene. Forskeren fikk flere henvendelser fra respondenter som ønsket undersøkelsen tilsendt for å bruke problemstillingene som ble reist, til faglige diskusjoner ved tjenesten. Dette kan indikere at surveyen ble oppfattet som å inneholde reelle problemstillinger.

I surveyen som denne vignetten er en del av, var det flere innledende spørsmål om temaet risikofylte foreldrekonflikter, samt tre andre vignetter. Vignetten som er bakgrunnen for analysen i denne artikkelen, var den fjerde og siste vignetten i undersøkelsen. Dette kan ha ført til et frafall i antall begrunnelser eller mindre utdypende svar. Informantene visste også hvilke spørsmål de sannsynligvis ville få, og det kan ha påvirket svarene på en annen måte enn for eksempel ved første vignett der spørsmålene var ukjent før de begynte å svare.

### **Funn**

Familierapeutene (n = 114) ble ut fra informasjonen i vignetten først spurt om hvordan de vurderer risikoen for Andreas og Emma sin omsorgssituasjon (se Figur 1). En overvekt av terapeutene, 74 prosent (n = 83), svarte at de vurderte barna til å være i en omsorgssituasjon forbundet med høy eller svært høy risiko. Et mindretall, 25 prosent (n = 28), vurderte at barna var i kategorien lav eller svært lav risiko. Ingen svarte «ingen risiko». 2 % (n = 2) svarte «vet ikke».



Figur 1. Familierapeutenes vurdering av risikoen for Andreas og Emma sin omsorgssituasjon

### Begrunnelser for vurderingene

Målsetting med vignetten var å få frem hvilke forhold i saken familierapeutene la til grunn for sin vurdering av risikoen for barna, og de ble derfor spurt om hva som var de viktigste faktorene i saken som begrunnet deres risikovurdering. De aller fleste (n = 106) ga en begrunnelse. Basert på gjennomlesing av begrunnelsene er det etablert fem kategorier for å presentere funn fra materialet, og i tabell 1 nedenfor presenteres resultatene for hele utvalget, fordelt på lav (svært lav og lav) og høy (høy og svært høy) risikovurdering.

Tabell. 1. Tema identifisert som kategorier.

Forhold ved barna	omhandler konsekvenser eller forventede negative konsekvenser for barna som en direkte årsak av foreldrenes konflikt
Foreldrenes omsorgskompetanse	omhandler foreldrenes omsorgskompetanse slik som holdninger og handlinger overfor barna gjennom ivaretagelse av barnas grunnleggende behov for mat og klær, grunnleggende behov for trygghet, evne til å prioritere barnas behov ved interessekonflikt mellom barn og voksne

Barnas medvirkning og barneperspektiv	omhandler barnas medvirkning i form av fokus på barna som selvstendige aktører og fremheving av et barneperspektiv gjennom fokus på barnas egne fortellinger i vurderingen og påpeking av fravær av et barneperspektiv hos foreldrene
Delt omsorg	omhandler vurderinger av delt omsorg, konsekvenser av delt omsorg og betingelser for at delt omsorg skal fungere
Konfliktens varighet og nivå	omhandler konfliktens varighet og gradering av konfliktnivået som høyt, moderat og lavt

### Konsekvenser for barna

Totalt 52 % (n = 55) av familieterapeutene peker på forventninger om eller faktiske negative følger for barnas helse og utvikling som en direkte konsekvens av foreldrenes konflikt. Blant de 55 er det 47 som vurderte risikoen som høy, og de uttaler at barna utsettes for stress, de får ansvar som barn ikke skal ha, og at de utsettes for trusler, fiendtlighet og lojalitetskonflikt. En terapeut sier følgende: «Det er skadelig for barn å leve i en situasjon hvor det er så stor uttrykt fiendtlighet mot det andre hjemmet» (resp 12). En annen terapeut vektlegger risikoen for at barna føler ansvar for å holde konfliktnivået nede og at barna sannsynligvis vil føle at det er deres skyld at foreldrene er i konflikt. Noen av familieterapeutene gir uttrykk for at de tror barna må kjenne på mye indre stress og angst og at de lever i en konstant beredskap for foreldrenes sinne og krangel. En av familieterapeutene gir uttrykk for dette som at «Det er svært negative overføringer fra de voksne til barna – blant annet i forhold til skyld og skam. Barna blir lojalitetsbærere» (resp 111). Informasjonen om at barna blir utsatt for trusler vektlegges. Noen skiller mellom truslene og gir uttrykk for at de hadde vært mer bekymret dersom de fikk informasjon om at barna rent faktisk ikke får mat enn at det bare er trusler om det. Familieterapeutene uttrykker videre bekymring for at foreldrene bruker barna for å straffe den andre forelderen. Noen av informantene fastslår at de vet at barn som lever i åpne konflikter mellom foreldre og som blir trukket inn i dette, tar skade av det. En informant uttrykker følgende: «Å vokse opp i et klima der foreldre har så liten forståelse for barns behov for et «solid bakkemannskap» er en fare for barns utvikling og skadelig for barn» (resp 26).

Av de familieterapeutene som vurderer risikoen for barnas omsorgssituasjon som lav, ser noe av de samme problemene for barna, men de vurderer det ikke til å være så problematisk. En av terapeutene sier eksempelvis: «Det høres ut som



temaene som blir konfliktfylte ikke er så alvorlige her, selv om det hadde vært ønskelig med et bedre samarbeidsklima» (resp 48). En terapeut sier at barna får det de trenger, men at de er utsatt for foreldrenes konflikt og terapeuten vil jobbe med dette og så eventuelt endre sin vurdering til høy risiko. En annen terapeut peker på utfordringer med å dokumentere det som skjer: «De tingene som beskrives er ting som er uheldige for barn, som i liten grad lar seg dokumentere på en slik måte at de kan interveres i forhold til, uten at foreldre selv inviterer til det». En informant trekker sin vurdering direkte opp mot meldeplikten til barnevernet: «Det er klart belastende for barn, men i seg selv neppe grunnlag for melding til barnevernet» (resp 70).

### Foreldrenes omsorgskompetanse

Halvparten (48 %, n = 51) av familierapeutene uttaler at vurderinger av foreldrenes holdninger og handlinger overfor barna er relevante. Herunder er uttalelser om ivaretagelse av barnas grunnleggende behov for mat og klær, ivaretagelse av barnas grunnleggende behov for trygghet, samt foreldrenes evne til å prioritere barnas behov i interessekonflikten mellom de selv og barna.

I begrunnelsene for vurdering av høy risiko (n = 44) vektlegges at Lene og André er foreldre som trer ut av voksenrollen: «Foreldrene ser seg selv og ikke barna!!!» (resp 1) og «foreldre som devaluerer hverandre, devaluerer barna» (resp 16). Det at barna ikke får lov til å ha egne klær i de to hjemmene, vurderes til at foreldrene har svært liten forståelse for barnas situasjon. I vurderingene blir det lagt vekt på at barnas grunnleggende behov for trygghet, kjærlighet og materielle behov ikke synes å være tilfredsstillende ivaretatt. Flere av informantene bruker begrepet foreldrefiendtlighet og legger vekt på at foreldrene kun ser seg selv og ikke barna, samt at de ikke er opptatt av barnas hverdag og behov. Utsagn som at «Fiendtligheten mellom foreldrene og den tydelige nedvurderingen av den andre forelderens pålegger barna å skille deres to hjemmeverdener fra hverandre» (resp 27) er et eksempel på dette. En informant vektlegger i sin vurdering at foreldrene til tross for hjelp fra familievernkontoret likevel ikke evner å følge opp avtalen og ha en grei kommunikasjon. Av de to foreldrene i vignetten er det mors omsorgskompetanse som blir spesielt trukket frem ved at mor trekker barna inn i bekymringer rundt økonomi. Mor sin atferd overfor barna med trugsmål og straffende atferd vurderes som trusler og blir beskrevet som psykisk vold. Denne typen trusler vurderes som uakseptable.

Som begrunnelse for vurdering av lav risiko (n = 7) uttaler en av informantene at vedkommende skiller mellom trusler fra mor og hva som faktisk skjer. «Det er

bekymringsfullt at mor sier at hun ikke har penger til å gi barna mat, men risikoen ville økt dersom hun faktisk ikke gir dem frokost og matpakke» (resp 29). En annen grunnigivelse for vurdering av lav risiko er at informantene tenker det er bra at foreldrene tillater en samarbeidsprosess ved familievernkontoret der en kan ha samtaler med foreldrene.

Noen informanter er mer løsningsorienterte i sine vurderinger og sier de ville ha brukt mye tid på å veilede foreldrene på bakgrunn av deres manglende forståelse, samt snakket med foreldrene om endringer som bør skje på kort og lang sikt. En terapeut uttaler følgende: «Jeg ville sannsynligvis først prøve å jobbe konflikthåndtering med foreldrene og så si noe om hvordan foreldrenes konflikt påvirker barn» (resp 87).

### **Barns medvirkning og barneperspektiv**

Forhold som gjelder barns medvirkning og vektlegging av barneperspektiv nevnes av 41 % (n = 43) av familierapeutene. Sentralt i denne kategorien er utsagn som omhandler barnas fortellinger og opplevelse av egen situasjon, eller påpekning om at barnesamtaler mangler. Når begrepet barneperspektiv blir trukket frem så kan det se ut som om familierapeutene har tolket vignetten noe ulikt ved at noen påpeker foreldrenes manglende barneperspektiv, mens andre uttaler at de i sitt arbeid vil løfte frem barneperspektivet.

Av de som vurderer risikoen som høy (n = 34), vektlegger tre av informantene i sin vurdering barnas alder og deres rett til å bli hørt: «Begge barna er såpass store at det er urimelig at de hverken blir spurt eller hørt i hvordan de opplever sin situasjon» (resp 12). Noen informanter gir uttrykk for at det er bekymringsfullt at barna ikke har blitt spurt om hvordan de opplever sin egen situasjon. En av informantene uttaler følgende: «Uheldig at de ikke blir hørt av foreldrene» (resp 38). Andre vektlegger nettopp utsagnene som barna har gitt og legger til grunn at barna ikke blir hørt og tatt hensyn til og at barnas ønsker og behov virker å være oversett av foreldrene. En av informantene sier det slik: «Her forteller barna sine historier, som viser at foreldrene ikke utøver foreldreomsorgen godt nok» (resp 45). En annen vektlegger at barna gir uttrykk for hvordan de har det selv om de ikke blir hørt: «Barna gir uttrykk for at de blir følelsesmessig påvirket av det som skjer mellom foreldrene (eks. gruer seg til ulike situasjoner)» (resp 93). En av informantene har som begrunnelse for sin vurdering svart at barnesamtalen mangler. En annen har som eneste begrunnelse nettopp lagt vekt på barnas fortelling og opplevelse av sin egen situasjon.

Av de terapeutene som har vurdert risikoen som lav (n = 9) finner vi også begrunnelser om manglende samtaler med barna. Følgende utsagn illustrerer dette: «Barna blir ikke spurt om hvordan de har det» (resp 43). En annen terapeut uttaler følgende: «Jeg ville ha bedt om å få snakket med barna for om mulig å høre deres tanker rundt den situasjonen de er i, og sette barnas posisjon på dagsorden» (resp. 4). En av terapeutene har som eneste begrunnelse for vurderingen lagt vekt på følgende: «At barna er hos meg nå betyr ved vårt kontor at foreldrene har gitt tillatelse for dem til å snakke. Det forteller meg at det ligger en vilje til å se, og et godt endringspotensiale» (resp 17). En annen informant ville eventuelt invitert med barna inn til samtale dersom foreldrene samtykker til det.

### Delt bosted

I denne kategorien er det utsagn som omhandler delt bosted, vurderinger av delt bosted, konsekvenser av delt bosted og betingelser for at delt bosted skal fungere. Utsagn som gjelder delt bosted som er beskrevet som barnas omsorgssituasjon, blir omtalt av 24 % (n = 25) av terapeutene. Av de terapeutene som har begrunnet sin vurdering for høy risiko (n = 18), er utsagnene entydige ved at de sier at situasjonen til barna er uheldig med en 50/50-avtale mellom foreldre, noe som stiller store krav til god kommunikasjon og et godt foreldresamarbeid. Utsagnet «Delt omsorg og manglende foreldresamarbeid og høyt konfliktnivå hører ikke sammen» (resp 34) er et eksempel på dette. Noen av informantene har som eneste vurdering oppgitt at risikoen for barna er høy fordi foreldrene har delt bosted og ikke greier å samarbeide. Selv om utsagnene stort sett er entydige når det gjelder vurderingen av delt bosted og situasjonen for barna, så er det likevel en forskjell på hvor høy risikoen for barnas omsorgssituasjon blir vurdert til å være. En av informantene som vurderer risikoen for barnas situasjon til å være svært høy, begrunner dette blant annet med at det er «delt bosted med høy konflikt mellom foreldre» (resp 71). En annen begrunner sin vurdering på følgende måte: «I slike saker mener jeg at det ikke gavner barn at foreldre har en felles foreldremyndighet (delt fast bosted) eller en lik bosituasjon» (resp 26).

Av de terapeutene som har vurdert risikoen som lav (n = 7), er det flere av informantene som oppgir tilsvarende begrunnelser for sine vurderinger som de som har svart høy risiko. Disse vurderingene vektlegger også at foreldrene har en samværsavtale som krever et tett samarbeid, at foreldrene er i stor konflikt med hverandre, og at barn som bor på denne delte måten ikke er bra. En av informantene sier at «Dette er barn som lever i spennet mellom foreldre som ikke samarbeider» (resp 70). En annen informant som vurderer risikoen som svært

lav for barna, sier følgende: «Dårlig foreldresamarbeidsklima, men mest sannsynlig god nok omsorg» (resp 108).

### **Konfliktens varighet og nivå**

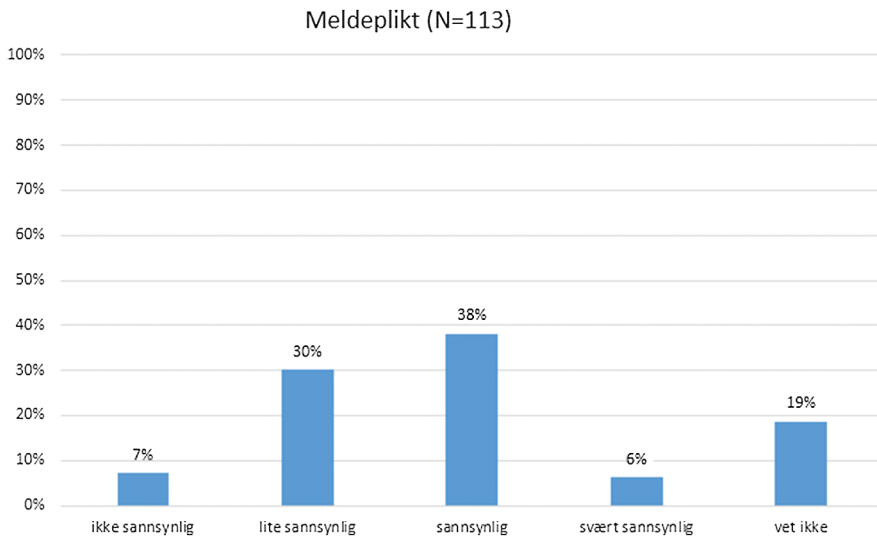
Den femte og siste kategorien omhandler utsagn om selve konflikten, dens varighet og en gradering av konfliktnivået som høyt, moderat og lavt. Disse forholdene blir nevnt av 23,5 % (n = 25) av familierapeutene. I denne kategorien er det mer variasjon i vurderingene og det er gjennomgående mer utfyllende begrunnelser for vurdering av lav risiko enn høy risiko. De terapeutene som vurderer risikoen som høy (n = 19), begrunner dette med at konflikten nettopp er høy og at den har vært over tid; «Dette har stått på i lang tid og vil medføre store belastninger på barna» (resp 86). Tre av informantene viser spesifikt til at konflikten har vart lenger enn tre år: «det er høg konflikt etter 3 år» (resp 69), mens andre beskriver konflikten som en «typisk høykonflikt» (resp 3).

Av de som har vurdert risikoen som lav (n = 6), er det en terapeut som har som eneste begrunnelse for sin vurdering oppgitt at dette er en foreldrekonflikt av moderat karakter. En annen informant som vurderer risikoen for barna som lav gir i sin begrunnelse uttrykk for at «denne typen oppvekstvilkår er det dessverre alt for mange barn som har, uten at barne- eller familievern klarer å hjelpe dem med det» (resp 24). Det vektlegges at en har mange slike saker og at en må jobbe med å få foreldre til å se og bedre situasjonen og fremme foreldresamarbeid. En annen informant gir uttrykk for at «Virker som det kunne være potensiale for å snakke videre med foreldrene på familievernkontor» (resp 48). En informant som vurderer risikoen for barnas omsorgssituasjon som lav, sier at «Denne saken vil være egnet for å jobbe med på familievernkontoret. En har mange slike saker der en arbeider med å få foreldre til å se, og å bedre situasjonen ved å fremme foreldresamarbeid» (resp 18). Denne typen utsagn kan indikere at informantene relaterer spørsmålet mer overordnet til temaet høykonflikter enn direkte til den beskrevne situasjonen til Andreas og Emma i vignetten. En annen begrunnelse for lav risiko er at dersom samtaler hos familievernkontoret over tid ikke fører til bedring for barna, ville en vurdert risikoen som høyere. Det vises også til at forholdene som blir beskrevet i vignetten, er noe en ofte lykkes med. En annen informant som også vurderer at det er lav risiko for barna, gir samtidig uttrykk for usikkerhet i vurderingen: «Litt usikker om jeg skulle skrive lav eller høy. Slike saker ser vi ofte og her er mye som må jobbes med» (resp 77). En informant begrunner sin vurdering med at vedkommende ønsker å vite mer om *hvordan* konflikten utspiller seg før en kan si noe om bekymringen for barnas omsorgssituasjon.

To av terapeutene vurderer også trolig situasjonen direkte opp mot eventuell meldeplikt til barnevernet: «Det er en belastning for barna å leve i dette over tid, men det er likevel ikke en åpenbar barnevernssak» (resp 92). En annen sier at «dette er en situasjon som er klart belastende for barn, men i seg selv neppe grunnlag for melding til barnevernet» (resp 70).

### Vurdering opp mot meldeplikten

Etter at de hadde begrunnet sin vurdering av risiko for barna, ble familierapeutene spurt om de ville tenkt at de har meldeplikt til barneverntjenesten i saken til Andreas og Emma. Her har 113 familierapeuter svart (se Figur 2). Det er 44 prosent av familierapeutene som sier at de ville meldt til barneverntjenesten, mens 37 prosent av familierapeutene svarer at de sannsynligvis ikke hadde meldt. Nær 19 prosent svarer at de ikke vet om de hadde meldt.



**Figur 2.** Sannsynligheten for at familierapeutene hadde tenkt at de har meldeplikt til barneverntjenesten

Interessant er det da å se på familierapeutenes vurdering av meldeplikt opp mot vurderingen av risiko for barnas omsorgssituasjon. I tabell 2 nedenfor har jeg koblet de som har vurdert risikoen som henholdsvis lav og høy, med vurderingene av om de har meldeplikt.

Tabell. 2. Respondentenes begrunnelser for risikovurdering fordelt på risikonivå. N = 106.

	Begrunnelser, totalt (N = 106) 100 %	(Svært) høy risiko (n = 78) 74 %	(Svært) lav risiko (n = 28) 26 %
Konsekvenser for barna	52 % (n = 55)	60 % (n = 47)	28,6 % (n = 8)
Foreldrenes omsorgskompetanse	48 % (n = 51)	56,4 % (n = 44)	25 % (n = 7)
Barns medvirkning og barneperspektiv	41 % (n = 43)	43,6 % (n = 34)	32,1 % (n = 9)
Delt omsorg	24 % (n = 25)	23,1 % (n = 18)	25 % (n = 7)
Konfliktens varighet og nivå	24 % (n = 25)	24,4 % (n = 19)	21,4 % (n = 6)

Tabell. 3. Krysstabell som viser vurdering av meldeplikt opp mot vurdering av risiko. N = 113.

	Ikke sannsynlig	Lite sannsynlig	Sannsynlig	Svært sannsynlig	Vet ikke	Total (N = 113) 100%
Lav risiko	5,3 % (n = 6)	18,6 % (n = 21)	0,0 % (n = 0)	0,0 % (n = 0)	0,9 % (n = 1)	24,8 % (n = 28)
Høy risiko	1,8 % (n = 2)	10,6 % (n = 12)	38,0 % (n = 43)	6,2 % (n = 7)	16,8 % (n = 19)	73,5 % (n = 83)
Vet ikke	0,0 % (n = 0)	0,9 % (n = 1)	0,0 % (n = 0)	0,0 % (n = 0)	0,9 % (n = 1)	1,8 % (n = 2)
Total	7,1 % (n = 8)	30,1 % (n = 34)	38,0 % (n = 43)	6,2 % (n = 7)	18,6 % (n = 21)	

I kategorien høy risiko er det 50 familieterapeuter som har vurdert risikoen for barn som høy og som samtidig svarer at det er sannsynlig eller svært sannsynlig at de ville tenkt at de har meldeplikt i denne saken. 19 familieterapeuter svarer at

de ikke vet om de ville tenkt at de har meldeplikt. Videre er det 14 terapeuter av de som har svart høy risiko, som har svart at det ikke er sannsynlig eller lite sannsynlig at de ville tenkt at meldeplikten utløses i denne saken.

I kategorien lav risiko er det 27 familierapeuter som har svart at det er lite sannsynlig eller ikke sannsynlig at de ville tenkt at de har meldeplikt. En har svart «vet ikke».

## Diskusjon

Funnene fra denne studien viser at det er ulike forhold som vektlegges av familierapeutene ved vurderingen av Andreas og Emma sin omsorgssituasjon. Selv om 74 % av familierapeutene vurderer risikoen for barnas omsorgssituasjon som høy, så viser analysen av begrunnelsene at likelydende begrunnelser blir vurdert til ulikt nivå av risiko og det er variasjon i tilbøyeligheten til å melde en bekymring til barnevernet. Det er ved disse vurderingene vi står ved interessante problemstillinger når det gjelder faglig begrunnede vurderinger og beslutninger jf. Dagliesh sin modell GADM (Bauman et al., 2014).

Spørsmålet terapeutene fikk i denne studien, har et klart fokus på Andreas og Emma sin situasjon, og det gjenspeiles også i utsagn som omhandler barna. Mest fremtredende når informantene uttrykker seg om forhold som gjelder barna, er hvordan foreldrenes konflikt er til skade for dem. Flere av familierapeutene som vurderer at det er høy risiko for barnas omsorgssituasjon, påpeker at det er skadelig for barn å leve i en situasjon der det er uttrykt stor fiendtlighet. Ingen nevner beskyttende faktorer eller at de ville ha kartlagt dette i sine begrunnelser. Dette kan skyldes spørsmålet de ble stilt ved at de ble bedt om å vurdere risiko og ikke beskyttende faktorer.

I tabell 2 ser vi at det er ulike vurderinger av barnas situasjon, både opp mot vurdering av risiko og vurdering av meldeplikt. Skjønnsvurderingene av de individuelle tilpasningene blir særlig fremtredende her jf. Molander, Grimen og Eriksen (2012); Molander (2013). Vi ser av bakgrunnsvariablene i denne studien at familierapeutene har høy kompetanse, lang praksiserfaring og at gjennomsnittstiden en har arbeidet i tjenesten er forholdsvis høy. I henhold til § 10 i Lov om familievernkontorer skal fagpersonell i sitt arbeid være oppmerksomme på forhold som kan føre til tiltak fra barneverntjenesten. Det er et relativt høyt antall familierapeuter som ikke vet om de hadde vurdert at de har meldeplikt i møte med Andreas og Emma, selv om risikoen for barnas omsorgssituasjon vurderes som høy. Det er ikke mulig å si sikkert hva dette er uttrykk for, men det kan skyldes en opplevelse av høykonflikter mellom foreldre som vanskelig å vurdere pga.

kompleksitet jf. Gulbrandsen (2013), og at begrunnelser for skjønnsvurderinger i møte med det enkelte barn og familie er utfordrende. Som nevnt under begrensninger i metodedelene, så kan vi selvsagt ikke med sikkerhet si at informantenes svar i en vignettstudie reflekterer de vurderingene de ville gjort i praksis, men et sentralt spørsmål er uansett om og i så fall hvordan spenningen mellom barns behov for en trygg omsorgssituasjon kontra konfliktnivået mellom foreldre påvirker familieterapeutene sine vurderinger og beslutninger.

Et viktig spørsmål i et barndomsperspektiv er hvor lenge en vurderer at en høykonflikt mellom foreldre kan pågå. I dette ligger vurderinger av nivå, varighet, enkeltfaktorer og helhet (Nordhelle, 2016). I situasjonsbeskrivelsen fikk familieterapeutene innledningsvis oppgitt at de over tid har arbeidet med familien og at foreldrene til Andreas og Emma ble skilt for tre år siden. Flere av informantene anvender uttrykket «foreldrekonflikt over tid». Vurderinger som gjøres av barn som blir værende i høykonflikt, og vurderinger som gjøres av at nettopp dette barnet ikke kan bli værende i en omsorgssituasjon preget av høykonflikt, er interessant. En overvekt av de som vurderer risikoen som lav i denne studien, begrunner det med at en vil forsøke samtaler med foreldrene for å fremme samarbeid, eller samtaler med barna for å fremme deres perspektiv. Et sentralt spørsmål er hvor lenge dette arbeidet skal foregå sett opp mot hensynet til å ivareta barns behov for riktig hjelp til rett tid.

Rød (2010) viser til at foreldres rett til kontakt med sine barn versus barns rett til ivaretagelse og utviklingsstøtte har sin basis i to ulike rasjonaliteter. Dette er i samsvar med Fluke, Tyler, Hollinshead og Maher (2016) som hevder at det er en falsk dikotomi mellom barns sikkerhet og bevaring av en familie. I møte med barn der foreldre har delt bosted og det er høy grad av konflikt, kan utøving av skjønn fremstå som ekstra utfordrende. I disse situasjonene kan det diskuteres hvorvidt delt bosted er en ordning for barna eller foreldrene. Studier viser at barn kan trives godt med delt bosted dersom foreldrene samarbeider godt, ordningene er smidige og tilpasset barnas ønsker. Barn er lojale mot sine foreldre, de synes det er rettferdig at foreldrene får like mye tid med barna sine og de vil ikke velge den ene forelderen foran den andre (Haugen, 2010; Lidèn & Kitterød, 2019). Sentralt i disse skjønnsvurderingene er hvilke forhold som vektlegges i møte med det enkelte unike barn og familie.

### **Avsluttende kommentarer og videre forskning**

Denne studien viser at hvilke forhold familieterapeutene vektlegger i sine vurderinger er sammenfallende, men at begrunnelsene for vurderingene, vurderingene av høy og



lav risiko, samt vurderingen av om en har meldeplikt til barnevernet varierer. Det overordnede bildet synes å være at vurderingen av høy og lav risiko i størst grad vektlegges av konsekvenser for barna, foreldrenes omsorgskompetanse og i noe grad barneperspektivet. Vektleggingen av delt bosted samt konfliktens varighet og nivå ser ikke ut til å ha samme entydige innvirkning på vurderingen av risikonivå. Både familievernkontor og barneverntjenester har som formål å fremme barnets beste, men det kan tenkes at barnets beste vurderes ulikt med utgangspunkt i ulike lovverk og ulikt mandat. I videre forskning er det interessant å be barnevernsarbeidere vurdere samme vignett og undersøke deres vurderinger innenfor sitt mandat for å belyse skjønnsvurderinger i skjæringspunktet mellom familievern og barnevern.

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# Deadlocked parental conflicts

“An Analysis of family counsellors’ discretionary practice in high conflict cases”

## Summary

Long lasting and deadlocked interparental conflicts, during and after a break-up, can cause considerable stress and lead to serious consequences for parental capacity and the child’s caring situation. Studies show that support services find high level conflicts between parents challenging and difficult. This article is based on a vignette study with 115 employees at various family counselling services in Norway. The study explores how family counsellors assess the care of two children in a family where the conflict level between the parents is assumed to be so high that care for the children’s may be at risk. The results show that the family counsellors place emphasis on similar factors in the children’s situation, however the reasoning, assessments of high and low risk, and evaluation of whether the duty to report to child welfare services differ.

**Keywords:** deadlocked parental conflicts, family counselling, child welfare, assessment of children’s caring situation

## Abstract

Long lasting interparental conflicts, both before, during and after a break-up can be extremely exhausting, causing decreased parent capacity and children being at risk of maltreatment. Studies show that supporting services experience high conflicts among parents as challenging and difficult. This article presents data from a vignette survey, including 115 employees from different Family counselling services in Norway. The study explores how employees assess the situation of two children in a family where the level of interparental conflict is presumed to be at such a level that it can be a risk factor for child maladjustment. The results show that the conditions in the children's situation that the family therapists emphasize in their assessments are coincide, but that the reasons for the assessments, assessments of high and low risk, and the assessment of whether one has a duty to report to the child welfare service vary.

**Keywords:** deadlocked parental conflicts, family counselling, child welfare, assessment of children’s care situation

## Introduction

Studies show that the health and development of children is at higher risk when exposed to complex and long lasting interparental conflicts. This applies regardless of whether the parents live together, never have lived together or if there are conflicts when the relationship breaks down (Amato & Keith, 1991; Rød, 2010). It is particularly regrettable when conflicts last over a longer period, and it is the conflict that characterise the parents' relationship (Moxnes, 2003). The consequences of conflicts for children may be complex, and will depend on expression, intensity and content of the conflict (Nilsen, Skipstein and Gustavson, 2012). The critical factor for children is how the parents manage to handle the conflict (Grych, 2005). In terms of parental mediation, families in conflict are the most challenging, (Ådnanes, D. Haugen, Jensberg, Lossius Husum, & Rantalaiho, 2011) and child welfare case workers find such cases difficult and arduous (Jevne & Ulvik, 2012; Rød, Iversen, & Underlid, 2012; Saini et al., 2012). Studies show that some child welfare services receive one or more reports of concern per week due to parental conflicts (Rød, et al., 2012), and that cooperation between the family counselling service and the child welfare service varies in parental conflict cases (Collin-Hansen, 2013).

When meeting professionals in the support services, children completely depend on the judgements of their caring situation. An important question for practice is how the support services assess the consequence of the conflict for the children and where the line is drawn between safeguarding a family versus protecting children from neglect.

The family counselling service is the fountainhead of the support services for families with relationship problems, conflicts between couples and families, and is regulated by the Norwegian Family Counselling Service Act. If parents are unable to resolve their conflicts, the family counselling services shall help reduce conflicts, promote parental cooperation and direct attention towards children's needs. The family counselling service can give advice on recurring issues of conflict when the Act does not provide a distinct resolution. Furthermore, strong long lasting conflicts affecting the care of children may trigger the family counselling service's duty to report to child welfare services (Barne-, likestillings-, & inkluderingsdepartementet, 2013).

In this study, I will explore how family counsellors at family counselling services assess the care of children when parents are in a long lasting and deadlocked conflict. The following research questions are linked to the study 1) How do family counsellors assess the potential risk of care for two children based on a situational description (vignette) and 2) is there a correlation between the assessment of high and low risk and the inclination to report concern to child welfare services?

The study is built on the family counsellors' assessments of a vignette illustrating a parental conflict. The vignette was designed with the expectancy that the situation would challenge

the family counsellors in their expert assessments. One hypothesis is that the risk assessments will differ, and dissimilarities will exist in their reasoning and decisions. The mandate of the family counselling service is based on the family as one unit. Thus, differences can also be expected with regard to whether the responses are parent-centred or child-centred.

## Background and need for knowledge

In recent years, the number of parental disputes brought before the courts in Norway has remained stable (Viblemo, Tobro, Knutsen and Olsen, 2016), however, many parents continue to be involved in unresolvable conflicts about child custody (Gulbrandsen, 2013). This has also occurred after the introduction of compulsory mediation (Viblemo & Stiberg-Jamt, 2016). Gulbrandsen and Tjersland (2017) point out that it should be borne in mind that a large portion of parents in major conflicts leave mediation without receiving help. Because of this, it can also be assumed that an increasing number of children also find themselves exposed to long lasting and deadlocked parental conflicts to such an extent that it has an adverse impact on their development and wellbeing. The breakdown of a relationship can be so stressful for parents that they become so overwhelmed with their own pain and feeling of failure that they become unable to 'see' their children. Parents involve the children in the parental conflict and the children perceive they are trapped in the conflict (Collin-Hansen, 2013; Moxnes, 2003). Subsequently, the child's needs may be overlooked with the utmost consequence being that the child is neglected (Tveit and Størksen, 2012; Moxnes, 2003). In this article, the term 'care' means the conditions of family lives under and considered to be significant to the core needs of the child being met as to their potential for adequate development. A child's caring situation includes the circumstances of the child, the parents, the interaction between them, and the family's socio economic situation (Bunkholdt & Kvaran, 2015).

In 2017, the family counselling service in Norway handled a total of 38,504 cases (Statistics Norway, 2018). Based on the statistics, it is difficult to estimate the number of high conflict cases, but earlier studies show that the number seems to be stable between 10 and 15 % of the total number of cases (Ekeland & Myklebust 1996; Moxnes, 2003; Ådnanes, Haugen, Jensberg, Lossius Husum, & Rantalaiho, 2011). In 2017, the family counselling services sent 641 reports of concern to child welfare services. Of these, 336 reports were listed under the category 'high level of conflict in the home' (Statistics Norway, 2018).

The main task of the child welfare service, as regulated by the Norwegian Child Welfare Act (1992), is to ensure that children and adolescents living under conditions that may be harmful to their health and development receive necessary help at the right time. The Ministry of Children and Families has imposed increasing responsibility on the child welfare

service for family conflicts, and guidelines have been established for closer collaboration between child welfare and family counselling services, and focus has been placed on identifying and investigating problems at the intersection between the Norwegian Children Act and the Child Welfare Act (Ministry of Children and Equality, 2013). Among others, this raises questions about the area of responsibility attached to the child welfare service and family counselling service, and the extent to which the public authorities are responsible for children.

The knowledge base as to family conflict cases and the intersection between child welfare and family counselling is sparse. Little research has been conducted on this theme and further studies need to be performed in order to determine whether findings can be generalised.

## High conflicts

Helland og Borren (2015) point towards both research and practice lack a good definition for the term 'high conflict', but it is used as a collective term for conflicts that are so intense and long lasting that they have a negative impact on relationships, partners and other family members such as children. High conflict couples are characterised as having pronounced distrust in each other, repeating arguments, and little will to negotiate and compromise (Ekeland, 2014). Gulbrandsen (2013) found that conversations in high conflict cases are characterised by changing topics, high emotional expressions, and if children are discussed, they are referred to as an argument for or against something, and descriptions rarely gave insight into children's reactions. An important question as to high conflicts is namely how much the conflict needs to escalate before it is at a high level? (Nordhelle, 2016) A concrete overall assessment of the frequency, duration, intensity, and how deadlocked it is for each party (and during interaction with each other) becomes important. This demonstrates that an overall assessment of a range of criteria is necessary in order to assess how a conflict impacts the child's care. Assessment of risk and prediction of potential outcomes for children based on parental high conflict is included in discretionary clinical assessment. Risk can be understood as increased probability for undesired child development based on situations to which the child is exposed.

## Discretion

The term discretion is ambiguous. According to Dworkin (1977), discretion gives relative amount of freedom to make assessments in accordance with standards established by an authority. Exercising discretion is the core of professionalism (Freidson, 2001) and what characterises professionals in their work practices is the use of discretion when collaborating

with clients (Lipsky, 2010). The exercise of discretion is based on the expectation that those who have this authority contain the will and capability to carry out their tasks in the best possible and professionally sound manner, and due to their mandate, professionals can reason their assessments and decisions by referring to relevant knowledge in compliance with legislations and accepted applicable principles (Molander, 2013). Lipsky (2010) refers to professionals in welfare services as frontline workers with discretionary assessments as an important part of their work as 'street-level bureaucrats'. Professionals may find themselves in situations where legislation, applicable principles and guidelines are vague or may conflict with each other, or applicable principles may fall short (Zacka, 2017). The exercise of discretion must handle the tension between equal treatment and individual adaptation; between following formal rules and finding tailored solutions (Molander, Grimen and Eriksen 2012; Molander, 2013).

The distinction between structural and epistemic discretion is crucial as the family counsellors are to exercise. The main purpose of structural discretion is to narrow the discretionary space. As a framework for their work with families, family counsellors must follow the Norwegian Family Counselling Service Act, in addition to professional ethical principles and guidelines. The main purpose for epistemic discretion is to highlight reasoning processes. The paradigms of the individual person are significant in relation to what professionals 'see' when faced with each individual case. The explanation of discretion is important when formal rules and guidelines fall short when meeting each individual child and family.

The analysis in this study of the discretionary assessments of family counsellors is based on Dalgleish's (2003) model 'A general model for assessing the situation and deciding what to do about it' (GADM), which forms the theoretical framework. This is a general assessments and decision-making model. According to Bauman, Fluke, Dalgliesh and Kern (2014), the psychological process of decision-making consists of three important features:

1) First it is useful to distinguish between an assessment and a decision. A judgment is an assessment of a situation given the current case information. This judgement may be about the amount of risk or the strength of evidence or overall level of concern for a child. Each of these can range from high to low. A decision addresses whether to take a course of action based on the given information and subsequent assessment. 2) Another important feature in the decision-making process is the threshold for further action. At which point in the assessment of available information is the description of the situation assessed to be intense enough as to decide to act? The decision threshold is influenced by the experiences and history of the decision-maker. These are both their actual or vicarious experiences and their interpretation of external factors and organisational factors. 3) A third component in the decision-making process is a shift in this threshold. An individual factor influencing a threshold shift might be experience. Other potential influencing factors include a policy that



dictates which cases would be accepted or not, the child's care and the context which may continually change.

The analysis in this article will focus on the first important feature of the model, and in the methodology section I will operationalise the terms further.

## Method

### Recruitment and selection

The findings presented in this article are part of a larger study on deadlocked parental conflicts, where the objective was to reach all the employees of the 51 family counselling services at the time in Norway. The recruitment of informants started by sending information about the project to the digital mailroom of each service, and they were asked to give their e-mail addresses to the technical staff linked to their service. It was emphasised that this was not a request to participate in the actual survey, and that the employees could choose whether to do so when the survey was distributed. The e-mail was followed up by a telephone call to each service. The survey was electronically distributed in January 2015 to 32 of the 51 services who responded to the request, which gave a total of 219 employees. It was estimated that the survey would take approx. 20-25 minutes to answer. The survey was closed in April 2015. A total of 115 employees responded (response rate, 52.5%). The variation in the number of employees at each of the offices is wide and there is a geographical spread in terms of where in the country the informants work.

### Informants

The informants in the study stated that they had worked in the family counselling service from three months to 40 years giving an average of 11.5 years. Of the 115 informants, 70% were women and 30% were men with an average age of 53.5 years. In terms of educational background, they were sociologists, psychologists, child welfare social workers, nurses, preschool teachers and social educators. Common for all was that they had further education as to master's degree or specialist training, in addition to basic training. Their experience, in addition to the 11.5 years they had worked for the family counselling service, varied, but one common denominator was that they had vast and comprehensive experience from working with child and adolescent psychiatry, child welfare, addiction counselling, psychiatry, social services and the probation services. The background information shows that the informants as a group have extensive work experience in addition to further education, and they worked for various support services prior to employment at the family counselling service.

## Research approach

As part of the study, four vignettes<sup>1</sup> were constructed based on components that may be considered as risk factors to children's caring situation. A vignette is a constructed short description of a person, object or situation representing a combination of characteristics (Atzmüller og Steiner, 2010). Vignettes are used as a method to explore assessments of situations as close to reality as possible (Andershed og Andershed, 2015), and it is important that the content is practice oriented and credible (Finch, 1987). It is a descriptive study as it is an analysis of how professionals carry out assessments and make decisions in their everyday practice (Taylor, 2006).

The vignette in this study was designed to explore how the family counsellors assess a given situational description, the circumstances they place weight on, how they assess the dimension of risk to the children's care and as a conclusion whether based on their risk assessment, they decide to act by triggering their duty to report to child welfare services. The study was designed with questions regarding background variables linked to the family counsellors, but they were not specifically asked in the vignette of the critical factor that made them decide whether they have a duty to report.

In the vignette that was analysed for this article, the family counsellors were asked how they would assess the risk for Andreas aged 10 and Emma aged 12, if they were given the following information: *"You've been working with a family over a longer period and the parents divorced three years ago. Lene and André have joint custody of two children: Andreas aged 10 and Emma aged 12. During conversations with you, Andreas and Emma say that their parents argue about clothes, holidays, visiting grandparents and other close family. The children say they dread holidays and public holidays as their parents just argue about where they are going to stay. This happens despite the family counselling service having set up a permanent child access agreement. The children say they must have a double set of clothes because neither parent wants anything in their home that the other parent has bought. If they are unlucky and forget something at one of the parent's homes, the other gets cross. For example, their mobile phone which they must have in order to contact the other parent. The children say that Lene particularly gets cross and angry if they forget or lose one of their possessions. She normally says that she doesn't have much money and if she must buy something new, she won't have any money for food, and they'll have to go to school without breakfast and a packed lunch. Andreas and Emma say they're never asked what they want or how they feel about their own situation."*

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<sup>1</sup> The four themes in the vignettes were constructed around potential emotional neglect, violence, different cultural background and negligence. To quality assure the content and research questions in the vignettes, and for the informants to perceive them as real, they were read and discussed independent of each other by a child welfare manager and a family counsellor in advance.

The family counsellors were thereafter asked four questions: 1) How do you assess the risk as to the children's care in this situation? The response options were given according to a five-point scale ranging from 'no risk' to 'extremely high risk'. They could also respond with 'don't know'. 2) Which circumstances in the case caused you to assess the risk in the way you did? Here the response was open, so the informants could explain in their own words. 3) Do you think you have the duty to report the situation to child welfare service in this case? Here the response options were given on a four-point scale ranging from 'no probability' to 'high probability'. They could also respond with 'don't know' here as well. The fourth and last question was, do you have any other viewpoints? Due to substantial variations in the responses and basis for independent coding, these responses were not included in the analysis. The questions in the vignette were designed to highlight point 1 in the theoretical basis - the family counsellors' assessment of risk factors, the general level of concern for the children, and the extent to which the description of the children's situation was assessed to be intense enough to take further action by reflecting they have a duty to report the case.

#### Analysis

A total of 114 family counsellors responded to the vignette. In the analysis of question 1, the response categories of extremely low and low risk were merged, as were the categories of high and extremely high risk.

Of the 114 who responded, 106 family counsellors reasoned their risk assessment. The length and detailedness of the given responses vary. Some informants state one reason for their assessment, whilst others state multiple reasons. Nine informants did not give a reason for their assessment.

To obtain an initial impression and overall picture of the circumstances that formed the basis for the risk assessment, the statements were read several times to identify prominent themes. Thereafter, the themes were coded to identify assessments and reasons. In cases when informants gave multiple reasons in their response, the statements were split up and placed under the various codes. The eleven statements that were not identified in the analysis as themes, were coded under the category 'other'. The following statements are examples of reasons for their assessment: "*Cooperation climate*" (resp. 104) and "*Practical challenges need to be resolved through conversations at the family counselling service*" (resp. 115). To ensure validity and reliability, the coding and understanding of each individual statement was discussed with the research supervisor and reviewed by a scientific assistant (King, Keohane, & Verba, 1994). After several rounds reading the reasons for the family counsellors' assessments of Andreas and Emma's care, five themes were identified as categories.

Table 1: Themes identified as categories

Circumstances of the children	concerns the consequences or expected negative consequences for the child as a direct result of the parents' conflict
Competence of the parents as caregivers	concerns the parent's competence as caregivers, for example, attitudes and actions towards the child to safeguard their basic need for food, clothes and security and the ability to prioritise the child's needs if there is a conflict of interest between the child and adults
Children's participation and child's perspective	concerns the children's participation by focusing on the children as independent actors, and highlighting the child's perspective by focusing on the children's own stories in the assessment and pointing out the absence of the child's perspective in the parents
Shared care	concerns the assessment of shared care, the consequences of shared care and the conditions for shared care to work
Duration and level of the conflict	concerns the duration of the conflict and grading of the conflict level in the form of high, moderate and low.

#### Limitations

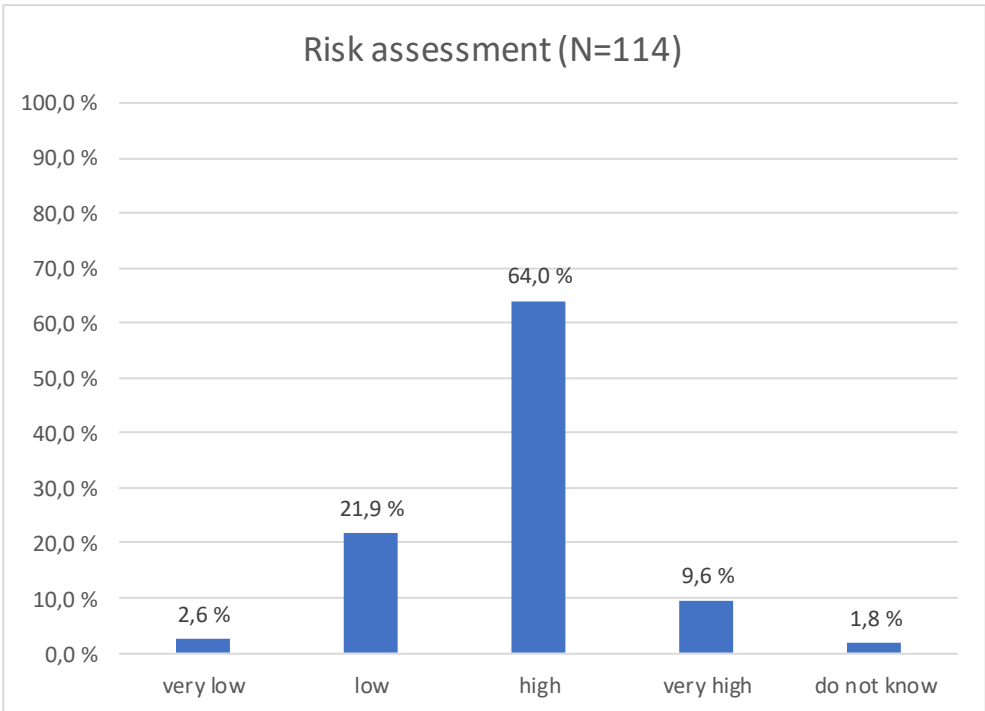
When using vignettes as a method, questions will often be asked related to realism, complexity and the extent to which the informants' responses reflect the assessments that would be conducted in practice. We cannot know with certainty how the family counsellors would have assessed Emma and Andreas' care in a real situation. The responses will nonetheless give insight into what the family counsellors focus on and enable us to compare the respondents. The researcher received several enquiries from respondents, who wished to receive the survey, asking if the research questions could be used for professional discussions within their services. This may indicate that the survey was considered to contain real issues.

The survey, of which this vignette was a part, contained several introductory questions relating to the theme of risk-filled parental conflicts and three other vignettes. The vignette, which forms the basis for the analysis in this article, was the fourth and last vignette in the survey. This may have led to a reduced number of reasons or less detailed responses. The informants also knew which questions they were likely to get, which may have impacted the responses in some form or other. For example, in the first vignette they did not know the questions until they started to respond.

# Findings

Based on the information in the vignette, the family counsellors (n=114) were first asked how they assess the risk attached to Andreas and Emma’s care (see Figure 1). Most family counsellors (74 per cent (n=83)) responded that they believed the children were at high risk or extremely risk. A minority (25 per cent (n=28)) considered that the children were in the category of low risk or extremely low risk. No one responded with ‘no risk’. Two per cent (n=2) responded ‘don’t know’.

Figure 1: Family counsellors’ risk assessment of Andreas and Emma’s caring situation



## Reasons for the assessments

The objective of the vignette was to elicit the factors in the case that the family counsellors had considered when assessing the risk for the children. As such, they were asked which factors in the case were most important for the reasoning in their risk assessment. The majority (n=106) gave one reason. Based on the review of the reasons, five categories were established to present the findings from the data. The results for the whole sample are presented in Table 1 below, distributed between a low (extremely low and low) and high (high and extremely high) risk assessment.

Table 2: Informants' reasons for risk assessment dispersed across the risk level N = 106

	Reasons, total (N=106) 100%	(Extremely) high risk (n= 78) 74%	(Extremely) low risk (n= 28) 26%
<b>Consequences for the children</b>	52% (n=55)	60% (n=47)	28.6% (n= 8)
<b>Competence of the parents as caregivers</b>	48% (n=51)	56.4% (n=44)	25% (n=7)
<b>Participation of the child and child's perspective</b>	41% (n=43)	43.6% (n=34)	32.1% (n=9)
<b>Shared care</b>	24% (n=25)	23.1% (n=18)	25% (n=7)
<b>Duration and level of the conflict</b>	24% (n=25)	24.4% (n=19)	21.4% (n=6)

### Consequences for the children

A total of 52% (n=55) of the family counsellors point out expected or actual negative consequences for the children's health and development as direct result of their parents' conflict. Among the 55%, 47% assess the risk as high, and they say that the children are exposed to stress, they are given responsibilities that children should not have, and they are exposed to threats, hostility and a conflict of loyalty. One counsellor says the following: *"It is harmful for a child to live in a situation where so much hostility is expressed against the other home,"* (resp.12). Another counsellor emphasises the risk of the children feeling responsible for reducing the level of conflict and that they will probably feel blame for their parents' conflict. Some of the family counsellors say they believe the children must feel a lot of internal stress and anxiety, and that they are living in constant state of preparedness for their parents' anger and arguments. With reference to this, one of the family counsellors says, *"The adults are transferring something extremely negative to the children - among others in relation to guilt and shame. The children are bearers of loyalty,"* (resp. 111). The information stating that the children are exposed to threats is emphasised. Some distinguish between the threats and state that they would be more concerned if they had been informed that the children were not actually given food than it just being threats. The family counsellors

express further concern of the parents using the children to punish the other parent. Some of the informant's state that they know that it is harmful to children when they live in open conflicts between their parents, and they are drawn into them. An informant says the following: *"Growing up in a climate where parents have so little understanding of the child's need for a 'solid backup crew' puts the child's development at risk and is harmful to the child,"* (resp. 26).

Of the family counsellors who consider that the children are at low risk under parental care, they recognise a few of the same problems for the children but do not consider them as problematic. For example, one of the counsellors says: *"It sounds like the themes of conflict here are not very serious even though a better collaborative climate would be preferred,"* (resp. 48). One counsellor says that the children have what they need but are exposed to their parents' conflict. The counsellor would want to work on this and potentially change his or her assessment to high risk. Another counsellor points out the challenges of documenting such events, *"The things that are described are distressing for children but are difficult to document in such a way to warrant intervention without the parents' invitation to do so."* One informant weighs their assessment directly against the duty to report to child welfare services: *"It is obviously stressful for children, but it is hardly a reason to report the situation to the child welfare service,"* (resp. 70).

#### Competence of the parents as caregivers

Half (48%, n=51) of the family counsellors indicate that assessment of the parents' attitudes and actions towards the children is relevant. This includes statements on safeguarding the children's basic need for food, clothes and security, and the capability of the parents to prioritise the children's needs in the conflict of interest between themselves and the children.

In the reasoning behind the high-risk assessments (n=44), emphasis was placed on the fact that Lene and Andrè were parents who had withdrawn from the adult role: *"The parents see themselves and not the children!!!"* (resp. 1) and *"parents who devalue themselves, devalue their children,"* (resp. 16). The fact that the children are not allowed to have their own clothes in the two homes is considered to show that parents have little understanding of the children's situation. In the assessments, emphasis was placed on the children's basic need for security, love; and that their material needs did not seem to be satisfactorily maintained. Several of the informants use the term parental hostility and place emphasis on the parents only seeing themselves and not the children, and that they are not concerned with the children's everyday lives and needs. An example of this is the statement that: *"Hostility between the parents and the evident devaluation of the other parent forces the children to separate their two worlds at home from each other,"* (resp. 27). One informant emphasises in their assessment that the parents, despite receiving help from the family counselling service,

are still not capable of following up the agreement and having amicable communication. Of the two parents in the vignette, the mother's competence as a caregiver is highlighted in that the mother draws the children into concerns about finances. The mother's conduct towards the children with threats and punishing behaviour is judged as threatening and described as psychological abuse. Such threats are considered unacceptable.

As a reason for the assessment of low risk (n=7) one of the informants stated that they distinguished between the mother's threats and what actually happens. *"It's concerning that the mother says that she doesn't have any money to give the children food, but the risk would increase if she actually didn't give them breakfast and packed lunches,"* (resp. 29). One of the reasons for assessing the situation as low risk is that the informant finds it positive that the parents allow the cooperation process at the family counselling service where one can have conversations with the parents.

Some informants are most solution-oriented in their assessments and say that they would spend a lot of time counselling the parents based on their lack of understanding and talk to them about changes that should be made in both the long and short-term. One counsellor says the following: *"I would probably have first tried to work on conflict management with the parents and then say something about how parental conflicts affect children,"* (resp. 87).

#### Participation of the child and child's perspective

Forty-one per cent (n=43) of the family counsellors mention factors related to the participation of children and emphasis on the child's perspective. The key elements in this category are the statements regarding the children's stories and perception of their own situation or pinpointing that no conversations are held with the children. When the child's perspective is highlighted, it may appear that the family counsellors have interpreted the vignette somewhat differently in that some point out that the parents cannot see the child's perspective, whilst others say that they would emphasise the child's perspective in their own work.

Of those who assess the risk to be high (n=34), three of the informants in their assessments emphasise the children's ages and their right to be heard: *"Both children are of such an age that it is unwarranted that they have not been heard or asked how they feel about the situation,"* (resp. 12). Some informants say that they are concerned the children have not been asked how they feel about their own situation. One of the informants says the following: *"It's unfortunate that their parents have not heard them,"* (resp. 38). Others emphasise the statements of the children and take into account that the children are not heard or considered, and that the parents appear to overlook the children's wants and needs. One of the informants expresses it this way: *"Here the children are telling their stories, which thus show that the parents are not providing adequate parental care,"* (resp.



45). Another emphasises that the children are telling about their situation even if they are not heard: *“The children express that they are emotionally affected by what is happening between their parents (e.g., dread various situations).”* (resp. 93). One of the informants stated in their response that the reason behind their assessment was that there were no conversations with the children. Another, as their only reason, placed emphasis on the children’s story and perception of their own situation.

Among the counsellors who assessed the risk to be low (n=9), we also find lack of conversation with the children as a reason. The following statement illustrates this: *“The children are not asked how they feel,”* (resp. 43). Another counsellor says the following: *“I would’ve asked to speak to the children, if possible, to hear their thoughts on their current situation and put the situation of the children on the agenda,”* (resp. 4). One of the counsellors, as their only reason behind the assessment, placed emphasis on the following: *“The fact that the children are now seeing me at our office indicates that the parents have given them permission to speak. This tells me that there is willingness to see and good potential for change,”* (resp. 17). Another informant would potentially invite the children to partake in the conversation with their parents’ consent.

### Dual residence

This category includes statements on dual residence, assessment of dual residence, consequences of dual residence and conditions for dual residence to work. Twenty-four per cent (n=25) of the therapists made statements about the dual residence that is described as the children’s care environment. The statements of the therapists who reasoned their assessment as high risk (n=18) are unambiguous in that they say that the children’s situation with a 50/50 agreement between the parents is unfortunate, as this sets high requirements for good communication and good parental cooperation. An example of this is the statement: *“Joint custody with inadequate parental cooperation and a high-level of conflict do not mix,”* (resp. 34). As their only reason, some of the interviewees stated that the risk attached to the children is high because the parents have a dual residence and are unable to cooperate. Even though the statements are largely unambiguous in terms of assessing dual residence and the situation for the children, there is still a difference regarding how high the risk is assessed to be in relation to the children’s care. One of the interviewees, who assessed the risk of the children’s situation as extremely high, reasons this, for example, by stating that there is a *“dual residence with high-level conflict between the parents,”* (resp. 71). Another reasons their assessment in the following way: *“In such cases, I believe that it does not benefit the child if the parents have joint custody (permanent dual residence) or a similar living situation,”* (resp, 26).

Of the counsellors who assessed the risk as low (n=7), many of them gave the same reasons for their assessments as for those who assessed the situation as extremely high risk. These

assessments also place emphasis on the parents having a child access agreement, which requires close collaboration, that the parents have an ongoing high-level conflict, and that it is not good for children to live in this joint fashion. One of the informants says, *"These children live in the tension between uncooperative parents,"* (resp. 70). Another informant who assessed the risk as extremely low for the children, says the following: *"A poor parental collaborative climate, but probably good enough care,"* (resp. 108).

#### Duration and level of the conflict

The fifth and last category concerns statements on the actual conflict, its duration and grading of the level of conflict as high, moderate or low. These circumstances were mentioned by 23.5% (n=25) of the family counsellors. There is more variation in the assessments in this category, and the reasoning for low risk is more detailed throughout than for high risk. The counsellors, who assess the risk as high (n=19), reason this by saying that the conflict is namely high and that it has been for a prolonged period: *"This has been ongoing for a long time and will cause the children immense stress,"* (resp. 86). Three of the informants specifically refer to the conflict lasting for more than three years, *"there is high-level conflict after a period of three years,"* (resp. 69), whilst other describe the conflict as a *"typical high-level conflict,"* (resp. 3).

Of those, who assessed the risk as low (n=6), one counsellor says that the only reason for their assessment is that the parental conflict is moderate of nature. Another informant, who assessed the risk attached to the children as low, says in their reasoning that, *"far too many children are unfortunately exposed to such conditions in childhood, and neither the child welfare service nor the family counselling service manage to help them,"* (resp. 24). It is emphasised that they have many of these cases and that one must work on getting parents to look at and improve the situation and promote parental cooperation. Another informant says, *"It seems like it would be possible to talk about this further with the parents at the family counselling office,"* (resp. 48). One of the interviewees, who assessed the risk attached to the children's care as low, says, *"This case would be suitable to work on at the family counselling service. We have many of these cases where our work is focused on getting parents to look at and improve the situation by promoting parental collaboration,"* (resp. 18). This type of statement may indicate that the informants relate the question more generally to the theme of high conflicts than directly to the described situation of Andreas and Emma in the vignette. Another reason for low risk is that if the sessions at the family counselling service do not lead to improvements for the children over time, the risk will be considered higher. Reference is also made to the fact that what is described in the vignette can often be resolved. Another informant, who also assessed that the risk is low, also expresses uncertainty in their assessment: *"I'm not sure whether I should write high or low. We often see such cases and there is a lot here that needs to be worked on,"* (resp. 77). One informant

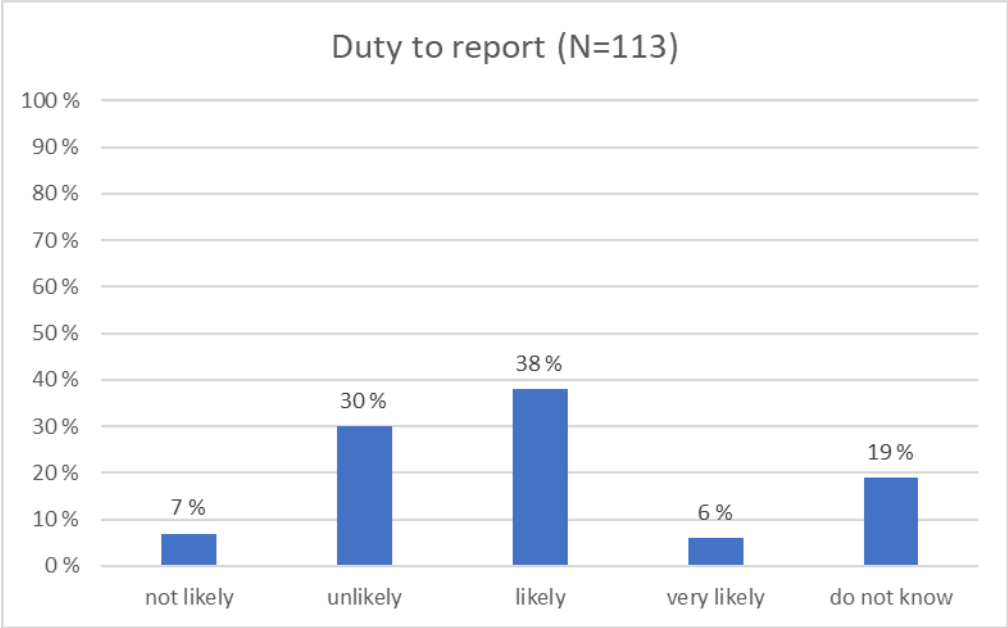
reason their assessment by wanting to know more about *how* the conflict unfolds before they can say anything about the concern for the children’s care.

Two of the counsellors have also probably assessed the situation directly against their potential duty to report to the child welfare service: *“It’s stressful for the children to live with this over time, however, it is not an obvious child welfare case,”* (resp. 92). Another says, *“this situation is obviously stressful for children, but it is hardly a reason to report the situation to the child welfare service,”* (resp. 70).

### Assessment towards the duty to report

After they had reasoned their assessment of the risk attached to the children, the family counsellors were asked if they would consider whether they had a duty to report Andreas and Emma’s case to child welfare services. In all, 113 family counsellors responded (see Figure 2). Forty-four per cent of the family counsellors say they would have reported the case to the child welfare service, whilst 37 per cent of the family counsellors said they would probably not have reported it. Almost 19 per cent said they did not know if they would have reported the case.

Figure 2: Probability that the family counsellors thought they had a duty to report the case to child welfare services



It is interesting to see the family therapists’ assessment of the duty to report weighed up against the assessment of risk attached to the children’s care. In Table 2 below, I have linked those who assessed the risk as high and low, respectively, with the assessments on whether they have the duty to report.

Table 3: Cross table showing assessment of duty to report towards assessment of risk N=113

	<b>No probability</b>	<b>Small probability</b>	<b>Probable</b>	<b>High probability</b>	<b>Don’t know</b>	<b>Total (N=113) 100%</b>
<b>Low risk</b>	5.3% (n=6)	18.6% (n= 21)	0.0% (n= 0)	0.0% (n= 0)	0.9% (n= 1)	24.8% (n=28)
<b>High risk</b>	1.8% (n=2)	10.6% (n=12)	38.0% (n=43)	6.2% (n=7)	16.8% (n=19)	73.5% (n=83)
<b>Don’t know</b>	0.0% (n=0)	0.9% (n=1)	0.0% (n=0)	0.0% (n=0)	0.9% (n=1)	1.8% (n=2)
<b>Total</b>	7.1% (n=8)	30.1% (n=34)	38.0% (n=43)	6.2% (n=7)	18.6% (n=21)	

In the high-risk category, 50 family counsellors assessed the risk attached to the children’s care as high, whilst at the same time saying that it is probable or highly probable that they would consider that they had duty to report this case. Nineteen family counsellors say they do not know if they would have considered their duty to report. Further, 14 counsellors of those who said the risk was extremely high responded that there was no probability or little probability that they would have thought that the duty to report would be triggered in this case.

In the low-risk category, 27 family counsellors responded that there was little probability or no probability of them considering that they had a duty to report. One responded with don’t know.

## Discussion

The findings in this study demonstrate that different circumstances were emphasised by the family counsellors when assessing Andreas and Emma's care. Even though 74 % of the family counsellors assess the risk attached to the children's care as high, the analysis shows through the reasoning that similar reasons were considered for different risk levels, and that the inclination to report to the child welfare service varies. These assessments provide us with interesting research questions regarding professionally reasoned assessments and decisions (see Dalglish's model (GADM) (Bauman et al., 2014)).

The questions that the counsellors received in this study clearly focused on Andreas and Emma's situation, which is also reflected in the statements regarding the children. Most notably when the informants talk about circumstances related to the children, they speak of how harmful the parents' conflict is to them. Several of the family counsellors who assessed that there is high risk attached to the children's care, point out that it is harmful to the children to live in a situation where so much hostility is expressed. No one mentions protection factors in their reasoning or that they would assess these. This may be due to the question they were asked in that they were asked to assess the risks and not protecting factors.

Table 2 shows the different assessments of the children's situation both the assessment of risks and assessment of the duty to report. The individual discretionary assessments are particularly notable here (Molander, Grimen and Eriksen (2012); Molander, (2013)). The background variables in this study show that the family counsellors are highly competent, contain extensive work experience and that the average time they have spent working for the service is relatively high. According to the Norwegian Family Counselling Service Act, Section 10, all professional personnel shall during their work pay attention to circumstances that may lead to measures from the child welfare services. A relatively high number of family counsellors did not know whether they would have considered the duty to report when faced with Andreas and Emma's case even if the risk attached to their care was assessed as high. It is not possible to say with certainty what this expresses, but it may be perceived that high-level conflicts between parents are difficult to assess due to their complexity (Gulbrandsen (2013)), and that the reasons for discretionary assessments when encountering individual children and families are challenging. As mentioned under limitations in the methodology section, we cannot of course say with any certainty that the responses of the informants in a vignette study reflect the assessments they would have done in practice. Nonetheless, an important question is still whether and if so, how the tension between the child's needs for safe and secure care versus the conflict level between the parents affects the judgements and decisions of the family counsellors.

An important question in a child's perspective is how long one can expect a parental high conflict to continue. Assessments of the level, duration, individual factors and wholeness are

fundamental to this question (Nordhelle, 2016). In the situational description, the family counsellors were informed in the introduction that they had worked with the family over a longer period of time, and that the Andreas and Emma's parents divorced three years ago. Several of the informants use the expression "parental conflict over time". Assessments of children who remain in high conflict situations and assessments on children concluding that a particular child cannot remain under the care of their parents due to high conflicts are interesting. The majority of those who assess the risk as low in this study, reason this by saying they would try to have conversations with the parents to promote collaboration or conversations with the children to promote their perspective. An important question is for how long this work should continue weighed up towards consideration of childrens need for adequate help at the right time.

Rød (2010) makes reference to the fact that the right of the parents to contact their children versus the right of children to receive care and developmental support are based on two different rationalities. This corresponds with Fluke, Tyler, Hollinshead & Maher (2016) who claim there is a false dichotomy between the childrens safety and family preservation. When meeting a child where the parents have dual residence and there is a high conflict, the exercise of discretion may seem extra challenging. In such situations, it is debatable whether dual residence is an arrangement for the children or the parents. Studies demonstrate that children can be very happy with dual residence if the parents cooperate well, the arrangements flow smoothly and are adapted the childrens wishes. Children are loyal towards their parents; they believe it is only fair for their parents to spend an equal amount of time with them and they do not want to choose one parent over the other (Haugen, 2010; Lidèn, H., & Kitterød, R.H., 2019). An important element in the discretionary assessments is the emphasis on specific factors when encountering each unique child and family.

## Concluding comments and further research

This study demonstrates that the family counsellors place emphasis on similar factors in their assessments, however their reasoning, assessments of high and low risk, and evaluation of whether they have a duty to report the situation to the child welfare services differ. The overall picture seems to be that the assessment of high and low risk is largely emphasised by the consequences for the children, the parents' competence as caregivers and to some degree the children's perspective. Emphasis on dual residence, the duration and level of conflict does not seem to have the same unequivocal impact on the assessment of risk level. The objective of both the family counselling service and the child welfare service is to promote the best interests of the child. However, it could be the case that the best interests of the child are assessed dissimilarly based on different legislation and mandates. In further research, it would be interesting to ask child welfare workers to assess the same vignette and

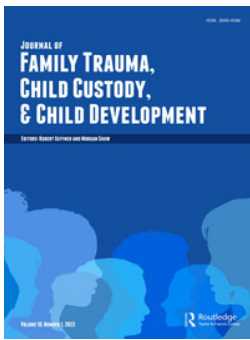
explore their assessment within their mandate to highlight discretionary assessments at the intersection between family counselling and child welfare.

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## Family counselors' professional assessments when children are at risk due to enduring parental conflicts

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# Family counselors' professional assessments when children are at risk due to enduring parental conflicts

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## ABSTRACT

The aim of this article is to explore Norwegian family counselors' professional assessments when children are at potential risk due to enduring parental disputes. These disputes present complex clinical challenges and are often considered being in a gray area of whether the situation is a family matter or if there is a need for the assessment of child welfare services. The analysis builds on a survey and focus group interviews. Findings from this study show that family counselors are concerned for children involved in interparental conflicts, but this concern does not necessarily manifest in their reporting to the child welfare services. Rather, our findings show that the family counselors prefer to utilize their own services and that of other stakeholders in such situations. Enduring conflicts present significant challenges relating to the assessments and decisions of what is the most adequate help for the unique child and family. The article points toward professional thresholds for intervention and risk of child maladjustment as a challenging aspect of practice in high-conflict cases.

## ARTICLE HISTORY

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High conflicts;  
family counseling;  
child welfare;  
mandatory reporting

It is widely accepted that ongoing serious conflict between parents has negative consequences for children (Ahrns, 2007; Amato, 2010; Anderson et al., 2010; Boullier & Blair, 2018; Mutchler, 2017; Shumaker & Kelsey, 2020; van Dijk et al., 2020). Intense interparental conflicts, as well as low-quality parenting, have been identified as important risk factors for child adjustment (Boullier & Blair, 2018; van Dijk et al., 2020). It is not simply the presence of the conflict itself that affects the outcome for children, but rather the characteristics of the conflicts and how parents deal with them (Reynolds et al., 2014). Krishnakumar and Buehler (2000) review interparental conflict as a multidimensional construct including elements of frequency, expressions, duration, intensity and the degree of resolution. Polak and Saini (2019) furthermore propose a comprehensive definition capturing the complexity and interactions of different risk factors

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and indicators on different levels in an ecological transactional framework. However, emotional harm is hard to prove and monitor, especially in situations where both parents attempt to make the other look bad (Saini et al., 2019).

Parents involved in parental conflicts to the extent that it causes severe maladjustment for children may result in family counselor's duty of mandatory reporting to child welfare services (CWS). Crossover cases of families involved in both family law litigations and child protection proceedings are becoming more common (Houston et al., 2017). Bala et al. (2010) emphasize an awareness of professional understanding when it comes to interparental conflicts being considered a family matter or when there is a necessity for litigation interventions as a professional response. Regardless of duty of mandatory reporting when applicable, this is not a straight-forward task for the family counseling service (FCS) in contact with high-conflict families, but a complex task of thorough assessing and consideration (Heggdalsvik, 2020). It is essential to identify the considerations which form the basis for different pathways of solutions. Fulfillment of mandatory reporting to child welfare services might be considered as an alternative, but if not, what are the other optional alternatives?

The aim of this study is to explore the considerations of professional family counselors in handling interparental conflicts when children are at risk of maltreatment. Specifically, how do family counselors outline and handle the question of appropriate interventions for children involved in high-conflict disputes?

### ***Family counseling services and child welfare services in Norway***

Public services in Norway are framed within a strong governmental system. There is a common division between "Child Protection" in the liberal western countries (e.g. US, Canada and England) and "Child Welfare" in a social democratic context like Norway and the other Nordic countries (e.g. Sweden and Denmark) (Gilbert et al., 2011; Khoo, 2004). In a child welfare context, the interference in family matters has an extended legitimacy and a broader scope than in a child protection context. This might be the reason Norway is the only country in the world with mandatory mediation when parents are separating. The FCS is a low-threshold specialist service regulated by Family Counselor Services Act (1997) and the Children Act (1981). FCS is the foundation for families experiencing domestic issues, issues of child-rearing and conflicts related to relationships within families. It is a free public service with geographically widespread locations. Families experiencing high conflicts usually have extended contact with the FCS.

The child welfare system (CWS) is regulated by the Child Welfare Act (1992) and the mandate is to make sure that children and youths at risk of being neglected get the help they need within a proper timeframe. The scope of the Norwegian CWS is broad, with preventive as well as protective measures (Samsonsen, 2016).

In 2020, the Norwegian FCS worked on a total of 36 632 cases (Statistics Norway, 2021b). In the same year, the FCS sent 568 referrals to the CWS, of which 324 of these were registered in the category of “high degree of conflict at home” (Statistics Norway, 2021a). Studies show that the total amount of high-conflict cases seems to be stable between 10 and 15% of the total number of all cases (Black et al., 2016; Buchanan et al., 2001). Children and families involved in high conflicts might receive measures from both these services.

### ***Considerations and risk assessment in “high conflict” cases***

The question of which pattern or dimensions of parental conflict are associated with possible maladjustments for children are of interest to professionals. How should intervention thresholds be designed to ensure that the choices and agency of vulnerable families are respected, but at the same time make sure that children at risk of harm are protected regardless of their parents’ circumstances? Studies testify to the continual struggle to align practice and policy to assess child safety and ensure that children are protected, while at the same time families are provided with the support they require in order to provide a safe and supportive environment for children (Black et al., 2016; Saini et al., 2012). A challenge is the ability to distinguish among types of conflicts; how the conflicts affect children involved; and importantly how professionals can support and signpost appropriate help (Reynolds et al., 2014). This is a core element of professional assessment, and an important crux is whether these situations meet the criteria of mandatory reporting to the CWS as child neglect (Joyce, 2016). Authorities working with children and families are obliged to adhere to mandatory reporting in order to fulfill their duty to notify, if there is a reason to believe that a child needs child welfare assessment. However, there is significant research pointing toward the struggle of frontline practitioners to keep both the “risk” and “support” functions in mind (Dingwall et al., 2014; Sudland & Neumann, 2020).

Supporting services experience interparental conflicts as challenging and difficult (Houston et al., 2017; Jevne & Andenaes, 2015; Johnsen et al., 2018; Sudland, 2019; Sudland & Neumann, 2020). Black et al. (2016) explored characteristics of child custody disputes within the context of

child protection investigations and how these cases differ from other disputes. Several personal, professional and organizational influences are at play when professionals make determinations about child maltreatment (Horwath, 2007). Professionals will respond differently to different scenarios, and responses will be influenced by individual attitudes, personal experience and characteristics of the children and caregivers (Levi & Crowell, 2011). Individual variation among professionals compounded by unclear standards of when to report suspected maltreatment and how to interpret the term “reasonable suspicion of harm”. In addition, a variety of understandings about children’s needs and the role of professionals in ensuring children’s wellbeing and families’ rights to privacy, is at stake here. Inconsistent reporting practices might lead to inadequate help and protection of children and cause inequitable treatment of parents (Levi & Crowell, 2011). Mandatory reporting is a key component of risk-averse forensic systems that individualize the factors that are at play (Lonne et al., 2015). A challenge for professionals is the assessment of potential risk of maltreatment due to high conflict among parents. A central question to address here is whether the level of risk meets the criteria for mandatory reporting.

## **Method**

A study conducted in 2015 by author 1 in this study indicated variations in FCS staffs assessments of level of risk in vignette families and a variation according to report to CWS in these families (Heggdalsvik, 2020). This study (a questionnaire survey design, hereby referred to as study 1) served as a basis for a second study conducted in 2020 to further explore and investigate these findings (focus group design, hereby referred to as study 2). The findings presented in this paper are based on data from the survey (study 1) combined with data from the focus group interviews conducted in 2020 (study 2). Quotes are presented from both open-ended questions in the survey and the focus group interviews. All procedures followed were in accordance with the ethical standards of the responsible committee on human experimentation [institutional and national] and with the Helsinki Declaration of 1975, as revised in 2000. Informed consent was obtained from all patients for being included in the study.

### ***Sampling and data collection***

Study 1 utilized an electronic survey design comprised of a 20-question questionnaire including four vignettes. The method was chosen to allow for a distribution of a national survey in order to reach all 51 FCSs in

Norway in January 2015. The respondents were recruited by an e-mail to all services with information about the project. We then asked if we could access the family counselor's e-mail address with the intention of mailing them and asking them to respond to the survey. The survey was considered taking 20–25 minutes to answer and was sent to the 32 FCSs that responded to our request, a total of 219 family counselors. The survey was closed in April 2015, with a total of 115 respondents. There is a variation in the number of counselors at the different services and geographic variation of locations in Norway. The survey included open-ended responses, which have allowed for an in-depth analysis of the experiences of the professionals.

The respondents in the survey had between 3 months to 40 years of work experience at the FCS, with an average of 11.5 years. Of the 115 respondents, 70% were female and 30% male. The average age of the counselors was 53.5 years of age. Their educational backgrounds were social work, psychology, child welfare educator, nurse, preschool teacher and social educator. Common to all the respondents was continuing education at master's level or specialist education within family therapy. Their work experience varied, but a common denominator was experience from mental health services, the child welfare service, substance abuse rehabilitation, social services and probation. The respondent's background information shows extensive work experience from FCSs in addition to continuing education and former work experience from other parts of the support system before they started their work at the FCS.

In study 2, focus group interviews were chosen to address the research questions in this article with the purpose to further explore and investigate findings from study 1 (Justesen & Mik-Meyer, 2012). Focus group interviews take place in an artificial context compared to the daily basic work of professionals but may still give researchers privileged access to in-group conversations containing key professional terms and categories in a situation where they are usually used. Discussions occurring within focus groups provide rich data from the group opinions associated with a given issue (Halkier, 2010; Kitzinger, 1995).

The interviews were conducted in January 2020, and the sample consisted of four focus groups with six members with, a total of 24 participants. Recruitment started with information about the study to the managers of two CWSs and two FCSs. Two focus groups were conducted with professionals at two different FCSs and two focus groups were the composite of professionals at two different CWSs. A request with information about the study was sent to managers of the different services. The services were asked to participate with informants whose daily work involved interparental conflicts.

The interviews were conducted at the offices of the different services. The informants were introduced to 8 cards<sup>1</sup> organized into two main topics. One of the informants in each group took the responsibility to ask questions from the cards in a chronological order. The participants were instructed not to glance at the next card before the focus group agreed that they had discussed each question. Main topic 1 contained the heading “What inhibits and what promotes constructive collaboration between CWSs and FCSs in cases containing deadlocked parental conflicts?” Analysis of data connected to main topic 1 will be presented in another paper (Samsonsen et al., 2022). The heading of main topic 2 was: “How is collaboration practice between FCSs and CWSs in situations when the services are concerned about the care situation of children?”

The participants were presented with following questions: (1) What distinguishes your meetings with children and families in these situations? (2) Children living in families with deadlocked parental conflicts might be covered by two acts: The Children Act and the Child Welfare Act. What do you think about that? Eventual experiences. (3) What are your experiences from reporting concerns for children? What circumstances trigger the duty to report as you see it? Can you please discuss what assessments precede a report of concern? Can you please express what assessments you make in advance of such inquiries? (4) Do you have any thoughts or suggestions about what FCSs and CWSs can additionally do to help children living with deadlocked parental conflicts that are of concern?

All interviews lasted approximately 1.5 hours, including a small break between the two different topics. The interviews were recorded and transcribed by an external professional after the interviews were conducted.

### **Data analysis**

The analysis is based on background- and open-ended questions in the survey, emphasizing what the family counselors find important when assessing children's situations involved in high conflicts, and transcriptions from the two focus group interviews with family counselors. The article focuses on the content of the family counselors' assessments based on the questions they were given and analyzed in terms of thematic analysis (Braun & Clarke, 2006; Clarke & Braun, 2018). The analysis of the focus group data is seen toward the open-ended answers in the survey. Statements were read thoroughly several times and four themes were uncovered as possible pathways for solutions: (1) Expanded efforts in family counseling services, (2) External low-threshold services, (3) Legal proceedings and (4) Whether or not to notify child welfare services.



## Results

In study 1, the family counselors were asked if they find it difficult to assess whether a child's caring situation is to be reported to CWS. The question was graduated from 1 until 5, where 1 was labeled totally agree and 5 totally disagree ( $N=115$ ) (see Figure 1).

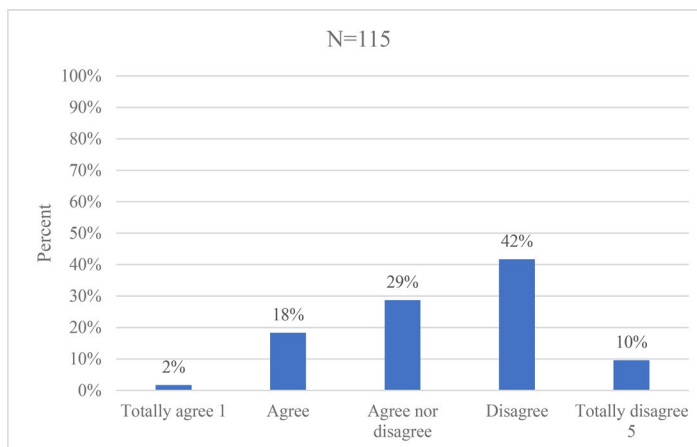
The family counselors were asked whether during the last two years they had *applied for guidance* and anonymously discussed concern for children involved in high conflict. Of the responses ( $N=111$ ), 69% of the family counselors answered yes and 31% answered no (see Figure 2).

In the question of whether during the last two years they had been concerned to the extent that they had *considered reporting* to CWS, 98% answered yes and 2% answered no ( $N=111$ ) (see Figure 3).

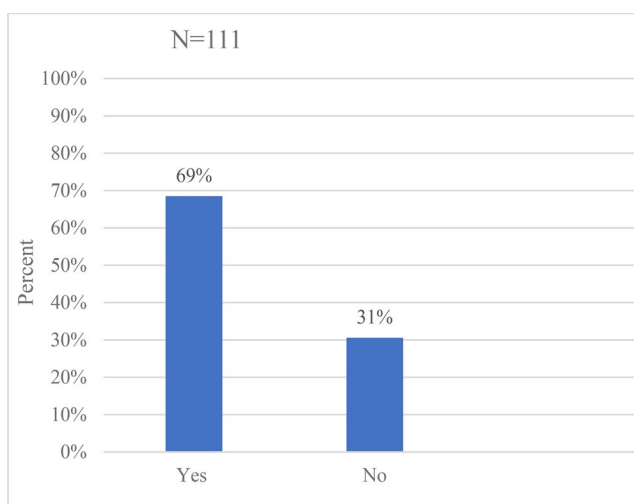
Concerning the question of whether they actually *had reported* to the child welfare service during the last two years, 89% answered yes, 10% answered no and 1% answered that they did not know ( $N=109$ ). With regard to the follow up question if they answered yes to having reported in the last two years: 27 out of the 115 respondents answered, and the average number was 3 reports (see Figure 4).

As we can see from the figures, a high percentage of the participants express that they have applied for guidance, considered reporting and that they have reported. Viewed against national statistics, the yearly number of reporting can be considered as low, as mentioned above: 324 in 2020. Of interest then is the question of what forms the basis of family counselors' considerations to report, and what other options are considered as potential alternative pathways to reaching a solution?

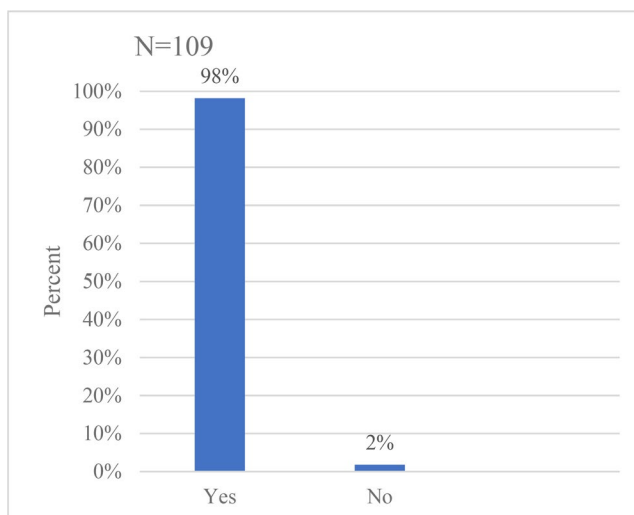
When analyzing different possible action pathways where family counselors are concerned, we identified four main themes. In the following,



**Figure 1.** Whether a child's caring situation is to be reported.



**Figure 2.** Participants that applied for guidance.

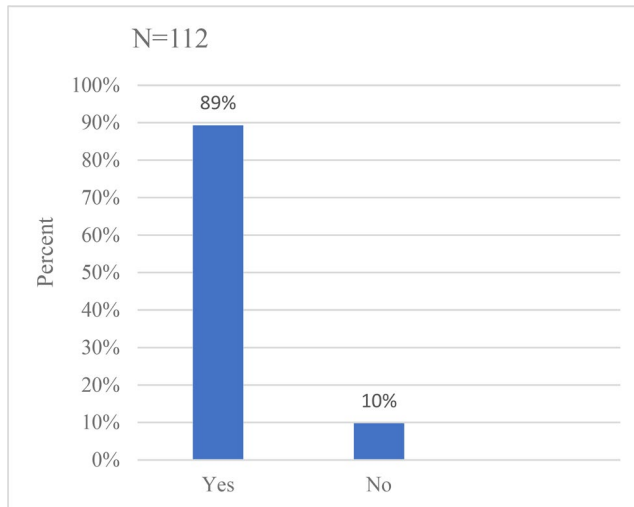


**Figure 3.** Participants considered reporting.

analysis from approaches 1 and 2 will be presented together as the following themes: (1) Expanded efforts in family counseling services, (2) External low-threshold services, (3) Legal proceedings, and (4) Whether or not to notify child welfare service– dilemmas.

### ***Expanded efforts in family counseling services***

Family counselors are clear that enduring conflicts among parents when children are involved is challenging, and they express that these cases often



**Figure 4.** Participants that have reported.

are the most difficult and sometimes make them feel powerless. Nevertheless, the family counselors are also clear that they can offer help to children and parents as part of their service and mandate. One family counselor expresses the following: “We are not paralyzed or exhausted when these cases come in, and we have lots of competence in our service.” The emphasis is on conversations with both parents and the children involved in order to make sure they understand the situation correctly before they eventually propose other measures. The following statement is an example: “I would have invited all members of the family to conversations, starting with individual appointments for the parent followed by conversations with the children.” At the same time, the counselors seem aware that there are prerequisites to consider if they are to succeed. The emphasis is on both parents’ ability to speak openly about the family situation and whether the parents show willingness to work with themselves and at the same time help their children with their feelings. These factors are considered when assessments are made relating to whether the family counselors find they can work with the family situation through conversations at the FCS and the question of awaiting a referral. Positive experiences from earlier success from working together with parents in conflict for a long time, where often two counselors have been involved, indicate a motivational factor to not give up on conversations and dialogue: “Gradually discovering that parents see their child in a different way, that is quite nice.”

The family counselors mention educational programs arranged regularly by their own service, especially the two-hour mini-program “Conflict-filled collaboration” designed for parents in Norway. This is a program specially designed for parents after break-ups, with the intention to prevent further

conflict escalations. In the focus group interviews the family counselors speak of red, yellow and green families as an internal degree of categorization relating to concern about children, where the highest concern is labeled red. They also speak of experiences with the group approach “No Kids in the Middle Programme” developed by Van Lawick and Visser (2015).

Although the family counselors are concerned about keeping the cases at a low threshold level within their own service, they also express contradictions or dilemmas as they do not have a mandate to impose interventions by force. The family counselors discuss this as a dilemma:

It is actually a paradox, we are within voluntary services, we are concerned with the Children Act, we believe in voluntariness as a condition to solve family matters, and at the same time, we are concerned about the children and think that someone has to assess, but then we give the concern away to someone else. Then we have given the concern to them (child welfare service), but it is not always the case that they are able to do something with the concern, and then you get the situation in return.

Another dilemma emerges when the family counselors discuss their lack of a mandate in relation to their attempts to promote the educational or preventive programs they can offer. The educational programs are their modalities to promote knowledge about the consequences of prolonged conflicts to parents. Apart from one-hour mandatory mediation if there are children under the age of sixteen involved, the family counselors point to the fact that the services they can offer are optional and they cannot make attendance from parents obligatory. A lack of authority is emphasized through the discussions, but no one raised the question of whether they should have had more authority within their mandate.

### ***External low-threshold services***

The family counselors refer in their discussions to specialized programs as “Aggression Replacement Training” or they encourage parents themselves to contact services such as kindergartens and schoolteachers. Health nurses are mentioned and discussed as potential services to help children and families. These statements can be understood as an attempt to involve professionals offering low-threshold services and not to expand the conflict more than necessary. Emphasis is put on information to parents about their rights as parents and the importance of their regular contact with the school and kindergarten.

The family counselors express an experience that the extended family and network, mentioned as “tribal warfare” or “cheerleaders” (Johnston et al., 2009; Polak & Saini, 2019), often are a powerful but invisible voice behind the scenes in situations concerning parents’ conflict. Family councils

as an attempt at developing creative help are discussed in order to include the extended “cheerleaders” or new partners. As for instance: “Those times when we have invited in new partners, that is when we have been successful at moving forward.” Another preventive that emerged in relation to reflections of different low-threshold services is suggestions of groups for children at school, including direct information from both the FCS and CWS to school-going children and youths.

### ***Legal proceedings***

In Norway, district courts handle interparental conflicts if mediation at the FCSs has not been successful. As a consideration of what can be understood as a way to promote the parents’ own responsibility or autonomy instead of sending a referral to the child welfare service, it might be preferable to advise parents to use court proceedings as the following statement indicates: “When parents disagree about where the children are to live, child custody and togetherness, then there is only the court that can decide. They are obliged to familiarize themselves with the children’s situation.” An alternative discussed is to advise one or both parents of a new round of mediation or alternatively advise a court proceeding. Another proposal is an attempt to find an in-between solution between FCS and the court.

On the other hand, one informant in the focus group interview expressed concern regarding the practice of advising parents to go to court:

We then forget that it is the poorest and the richest who can afford to go to court, because for most parents with a median income it is far too expensive. We speak of court as a possibility and a right that actually is not accessible for that many, and then, what about those who do not want to go to a family counselling service, and they are not qualified for services at the child welfare service? It is also reasonable to be concerned about those children. They do not get help at all because no one intervenes.

Another informant expressed concern whether it is the mandate of the court to arrive at a deal. In contrast, an important aspect in high-conflict cases is the question of the parents’ ability to provide care. The family counselors therefore raise the question of whether the children are sufficiently taken care of within a court “deal” system.

### ***Whether or not to notify child welfare services—dilemmas***

In parallel, when speaking of the mandatory duty to report to the CWS, the family counselors often spoke of attempts at collaboration in order to get a chance to speak with parents together. Whilst some family counselors use the term “attempt” when expressing collaboration

with CWS, others were clear that they do report and always collaborate with either one or preferably both parents when they do so. The family counselors underline in general the importance of parents knowing what is going on and to make sure parents understand their reasons for reporting.

Another solution is to consider parents as responsible for their own children's situation and encourage parents to report to child welfare service themselves due to the importance of not taking one party's information in high-conflict cases as the truth: "I will try to get both parents to speak before drawing a conclusion. If the father is concerned for his children, he can report based on what he has seen, experienced and heard." Others are not that clear, as for instance,

Sometimes I find it difficult to know whether to report to the child welfare service or whether I need to advise them to go to court, sometimes there is a kind of borderline there. Or an alternative is to do both. One of the efforts, the parents need to do themselves, and the other, we might need to assist them.

Despite concern for the children involved, the informants stated that there are several issues to consider here. The stress reporting causes to parents is the reason why they find it important to be in dialogue with parents, but also the fact that they have experienced that child welfare service has little to offer. The family counselors are, above all, concerned about dialogue, and if and when an investigation starts at the CWS, they emphasize that there is a predictable plan for the parents.

The family counselors find several issues to be dilemmas:

It is a paradox, since we are within the framework of voluntariness, and the Children Act. In addition, we consider voluntariness as a prerequisite for solving matters, and at the same time we are concerned for the children and think that someone has to assess, and then we pass on the concern to someone else, but they cannot always do something with that concern.

An expressed concern and dilemma were also the experience of getting cases in return. This dilemma is particularly underlined by those participants who thought that the threshold and attitude of reporting is affected by experiences of how earlier reports have been received. The different experiences of whether the CWS has previously been able to handle similar cases then affects the question of whether to report or not.

One of the participants in the focus group interview expressed a statement that is at the very heart of this study:

How serious is it when it is considered to be harmful but not to the extent of a care order? There is quite a huge gap from harmful to care order, and I believe, there are quite a lot of children in that sphere.

Discretionary considerations such as weighting matters as to whether it is a parent's responsibility to protect a child from the other parent, or whether the child should be protected from both parents, or an effort should be made at doing something about the conflict are often described as "war material." An understanding and underlining of the different mandates of the FCS and CWS in relations with parents can also be interpreted when participants express that they sometimes tell the parents that if they do not stop the child's visitation arrangement with the other parent, the CWS might assess them as not sufficiently protecting the child.

## **Discussion**

Enduring interparental conflict poses a potential risk of emotional maltreatment of children (Birnbaum & Saini, 2013; Polak & Saini, 2019), not only from a present perspective but also from a life course perspective (Ahrons, 2007; Boullier & Blair, 2018). Findings of this study correspond with other studies demonstrating the challenging aspects of these conflicts as experienced by professionals (Jevne & Andenaes, 2015; Sudland, 2019; Sudland & Neumann, 2020). The question is how to handle these family matters, which manifest as complex and wicked problems (Devaney & Spratt, 2009; Rittel & Webber, 1973) without any straightforward or obvious measurements or actions.

In this study, all counselors involved agreed on the "high risk" posed by enduring parental conflict for children. Apart from risk evaluation, the professionals identified four pathways in how they assessed the issue of appropriate interventions for children involved in high-conflict disputes.

### ***Expanded efforts in family counseling services***

In order to help children involved in enduring parental conflicts, several family counselors emphasize attempts to find alternatives within their own service. They stress dialogue with parents and children, both separately and together, if possible, as a primary effort and a clear component of their service and mandate. Educational programs developed within the service are considered important contributions to conflict reduction. The Norwegian FCS has developed standardized structures that address high-conflict cases that are implemented nationally. The results of a recent study show that this structure is valued as a constructive framework for professional measures (Kåstad et al., 2021).

Another possible explanation and underlying perspective that influence family counselor assessments is an understanding of children and family through the lenses of resilience. Stokkebekk et al. (2021) indicate that prolonged conflict between parents renders it impossible to find viable options for cooperation and argue that family therapists should aid and promote child and family resilience rather than make continued efforts to solve chronic conflicts. Given the findings of this study, the family resilience perspective may explain why the counselors believe in parents as the initial source for mobilizing strength and reducing the level of interparental conflict and consequences for the children.

### ***External low-threshold services***

The family counselors discuss the importance of daily life services for children and families. They encourage parents to cooperate closely with external low-threshold services, such as public health nurses, preschool teachers and kindergarten teachers. Keeping the conflict level as low as possible may explain this approach.

There is widespread agreement on the need for early intervention if some of the most negative outcomes for children and parents' mental health and the well-being of family relations are to be prevented. A key question here is to ask how "early interventions" is understood. Sheehan (2018) underlines the importance of professional understanding and the recognition of the skills required to help children and their families within the context of their conflict. An awareness of perspectives, an understanding and the content of prevention programs, the knowledge base on which they are founded and the implications of basic research are of significant value and importance (Camisasca et al., 2019; Grych, 2005; van Dijk et al., 2020). Sheehan (2018) argues that containment is an important intention and skill that professionals can bring to the table in an attempt to address high conflict at whatever stage of its development.

### ***Legal proceedings***

An autonomy perspective may explain why family counselors advise parents to go to court for new hearings. Parents are responsible for the care of their children. The court is tasked with solving or making a judicial decision to end the parental conflict. By contrast, Cashmore and Parkinson (2011) stress that parents are "repeat players" in the court system. Their study followed a program aimed at decreasing parental disputes in court systems due to its cost for parents, children,



and the court system. The involvement of the court did not seem to reduce, but rather enhance the level of conflict. This argument is in line with Joyce (2016), who argues that the win or lose framework of litigation encourages parents in a high-conflict situation to find faults with one another instead of focusing on cooperation. Such demands to increase the bargaining advantage results in an escalation of the conflict. A consequence of repeated litigation is that both parents become drained of emotional and financial resources and experience an increased level of stress that often causes anger, aggression and hatred. Garber (2015) also argues that the complexity of high-conflict situations defies the court systems' customary search for guilt and innocence, while challenging the understanding of children living in amidst the maelstrom of conflict. For the parents, the fulfillment of the court order may be challenging due to even higher level of conflict following the proceedings.

### ***Whether or not to notify child welfare services-dilemmas***

Figures 1–4 in the findings suggest that family counselors experience a sense of confidence in reporting to CWS and requesting guidance. Statistics show that there is a limited number of cases reported by the FCS to CWS in Norway, each year; approximately 10% of all cases. One possible explanation is that family counselors do not find reporting to CWS as the most appropriate intervention.

These findings may indicate a dilemma in assessments. The reasoning underlying appropriate interventions is a central crux when children are at risk, namely whether or not to notify CWS. One reason not to report may be negative experiences from previous cases. Another explanation may be challenging communication between FCS and CWS in terms of uncertainty in understanding each other's mandates (Samsonsen et al., 2022). The counselors in general agree on the potential risk for children exposed to an enduring high-conflict situation. They are concerned, but unsure what to do about it.

CWS is the final safety net for children, with a clear mandate and power, and is often considered a last alternative. Houston et al. (2017) found that one of the greatest challenges reported by non-CPS family justice professionals was the lack of communication and coordination among the various professionals involved in high-conflict cases. Professionals, lawyers and assessors emphasized concerns or difficulties in collaborating with CPS workers and expressed concerns about a duplication of efforts and inconsistent strategies. Despite unfounded conclusions, cases involving child custody disputes are more likely to be reopened several

times by child protection services with little resolution (Black et al., 2016). This finding may indicate that CWS may prematurely close these cases without adequately focusing on the needs of the children and families involved. Similar findings labeled the “revolving-door effect” in the study of Houston et al. (2017) can be seen in line with the findings of this study, by which the family counselors express hesitation in reporting due to a concern that the cases may return without any changes or resolution.

Houston et al. (2017) claim there is limited research on the effect of intervention by child protection services (CPS) in high-conflict separations or best practices. CPS respondents complain that they were not viewed by other professionals involved in these cases as partners or allies working to advance the interests of children but were too often considered adversaries. The other side of the dilemma is shown in the study by Sudland and Neumann (2020), which asks whether one should take all the children who are at risk of neglect due to their parents’ deadlocked disputes, and points out the importance of interdisciplinary collaboration in order to strengthen CWS assessments and interventions. A key question here is also whether mandatory reporting in high-conflict cases escalates the conflict dimension more than it signals multi-agency services and professional collaboration as appropriate assistance for the children involved.

## Conclusion

This study shows that family counselors are concerned about children involved in interparental conflicts and consider different pathways to help these families. Expanded services within FCS, recommending low-threshold services or court proceedings and possible reporting to CWS are all strategies aimed at resolving parental conflicts. The conflicts challenge the assessments and decisions of what is the best way to help the unique child and family. Black et al. (2016) point toward a need for devoting more attention to exploring ways to engage with families involved in child custody disputes to enable better coping with the complexities of a family breakdown. In the current study, the family counselors show a rather high level of confidence when asked in general about reporting. Nevertheless, when it comes to specific cases, the discretionary assessments regarding interventions do not appear to be as straightforward. Our findings are in line with Houston et al. (2017) who found that high-conflict cases continue to be challenging for professionals in the family justice system. Although this is a study carried out in Norway, it highlights the overall challenging aspects of child maladjustment and practice in high-conflict cases.

## **Limitations**

The difference between assessments made in a digital survey and in focus group interviews, as opposed to real world assessments, is a limitation of this study. Social interaction between the participants in the focus group in terms of body language etc., was not the subject of study in the analysis, as such interaction may affect the reflections of the different participants. The survey was conducted in 2015 and the focus group interviews were held in 2020, which may be a possible limitation. In the period 2015-2020, there has been national focus on the topic which raises the question of the participants' responses in terms of increased knowledge on the topic.

## **Note**

1. Papercrafts were made as 6x6 cards with separate questions.

## **Disclosure statement**

Authors declare no conflicts to report.

## **Ethical standards and informed consent**

This research was approved by Norwegian center for research data in 2014 (study 1) and 2019 (study 2). All procedures followed were in accordance with the ethical standards of the responsible committee on human experimentation [institutional and national] and with the Helsinki Declaration of 1975, as revised in 2000. Informed consent was obtained from all participants being included in the study.

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# High Conflicts as Wicked Problems from the Perspective of Family Counsellor and Child Welfare Services in Norway

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This article explores professionals' understanding and experiences of parental high conflicts in Norwegian family counsellor and child welfare services. The data were analysed using reflexive thematic analysis, examining four focus group interviews with a total of 24 professionals. We used tame and wicked problems as a theoretical frame of reference in order to discuss how high conflict cases can be understood. The analysis shows that the complexity and experiences of high conflicts challenge professionals in their assessments and development of solutions. Our conclusion is that the nature of the complexity, unpredictability, and instability of high conflicts fits within the framework of wicked problems.

**Keywords:** high conflict, wicked problems, family counsellor and child welfare services, reflexive thematic analysis

## Key Points

- 1 If professionals are expected to understand high conflict, they need to understand the context in which it takes place and the patterns that perpetuate it.
- 2 The term 'high conflict' refers to a collective designation of parental conflicts that are of such intensity and endurance that they constitute a major risk factor for children's adjustment.
- 3 Wicked problems are characterised as problems that lack clarity in their aims and solutions and are therefore difficult to solve due to their complex and interconnected nature.
- 4 Seeing high conflicts as wicked problems that are complex and less amenable to being solved allows professionals to focus on achieving better outcomes for children.
- 5 In using wicked problems as a theoretical lens, our intention has been to bring an analytical tool to help professionals analyse high conflicts more widely before 'rushing into families' and suddenly getting the feeling of being trapped in conflicts.

When parents split up and live in an atmosphere of high conflict, both they and their children often suffer dire emotional consequences (Gurman, Lebow, & Snyder, 2015; Snyder, Castellani, & Whisman, 2006). Effects of marital conflict on children's adjustment are well documented (Cummings & Davies, 2002). Smyth and Moloney (2019) claim that high conflict cases are among some of the most complex challenges for professionals to deal with. In contrast to amicable break-ups, families almost perpetuate the conflict and the conflict appears to find no end (Sheehan, 2018). Several studies point to the necessity of differentiating between various degrees and types of conflict to better understand these cases and provide the most appropriate interventions (Birnbaum & Bala, 2010; Helland & Borren, 2015; Helland et al., 2020; Johnston, 1994).

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The meaning of 'conflict' is argued to be vague and not sufficiently defined as a basis for determining between constructive and destructive conflict. Differentiating between constructive and destructive conflict styles among parents is paramount when it comes to predicting positive versus negative outcomes for the children involved (Cummings, Goeke-Morey, & Papp, 2016; Davies & Cummings, 1998; Reynolds, Houlston, Coleman, & Harold, 2014). Sheehan (2018) makes a distinction between two facets of a post-separation conflict, namely the grounds on which a conflict takes place and the relational processes through which the conflict has been brought into being and maintained.

Different process models and frameworks have been developed to address the continuum of influencing factors of interparental conflict and discord and how they serve as a significant influence on children's development (Cummings & Davies, 2002; Cummings, Goeke-Morey, & Papp, 2016; Polak & Saini, 2015). Research on parental functioning and the aetiology of child maltreatment is often focused on and has been identified as containing three domains: (1) resources of parents, (2) characteristics of children, and (3) contextual sources of risk and protecting factors. Knowledge of patterns of post-divorce relationships and their different trajectories, the evolution of high conflict, and protective factors in children's adjustment to enduring parental conflict, emphasise the necessity of a broad approach when professionals encounter children and parents. Consequently, the ability to distinguish poor and dysfunctional parenting from child emotional maltreatment is known to be challenging (Sudland & Neumann, 2020; Wolfe & McIsaac, 2011).

If we are to understand the conflict's trajectories and take into account the risk they represent, we need to look more closely at the nature of a conflict (Drapeau et al., 2009). With a firm emphasis on conflict and its possible resolution, there is the potential among professionals to miss the need for the development of certain skills in order to understand the conflict. The emphasis is instead on the conflict's continuum instead of understanding the contextual background and building a structure of potential containment around the conflict (Sheehan, 2018). Consequently, if professionals are expected to understand the conflict, they need to understand the context in which the conflict takes place and the patterns that perpetuate it (Lorås, 2021). This is in line with a systemic understanding, which claims that humans' challenges (individuals, couples, and families) need to be put in a contextual frame, where the nature of the relationships involved is assessed (Capra & Luisi, 2016). Thus, each individual's description of the interactional problem makes little or no sense without the relationships of those involved being assessed and taken into account. Different persons will understand and explain the conflict differently, for example, offering competing descriptions. It is therefore not appropriate to consider high conflict as an objective 'truth' where people are expected to have a common understanding.

The research literature (Anderson et al., 2010; Haddad, Phillips, & Bone, 2016; Johnston, 1994; Kosher & Katz, 2022; Smyth & Moloney, 2019; Stokkebekk, Iversen, Hollekim, & Ness, 2021) shows great variation in terminology when describing parental conflict. Coleman (2014) labels prolonged marital disputes as intractable conflicts characterised by escalation, hostile interactions, sentiment, and a change in quality over time. Typically, associations are cycles of high and low intensity, destructiveness, often costly in human and economic terms, that can become pervasive and affect day-to-day aspects of the disputants' lives (Coleman, Vallacher, Nowak, & Bui-



Wrzosinska, 2007). In this article, we use the term 'high conflict' as a collective designation of parental conflicts that are enduring and of such intensity that they constitute a major risk factor to children's adjustment.

### **Theoretical perspective: Tame and wicked problems**

No phenomenon (such as high conflict) can be explored and examined without some set of guiding theories, contextual factors, and perspectives. These elements are like a set of assumptions or lenses through which we look at what we are interested in (Sheehan, 2018). A variety of different theoretical perspectives can be used to shed light on high conflict. Examples are family systems theory (Priest, 2021), attachment theory/attachment narratives (Bowlby, 1973), emotion theory (Ben-Ze'ev, 2000), conflict theory (Coleman, Deutsch, & Marcus, 2014), and trauma theory (Akhtar, 2017).

In understanding high conflict, we have chosen Rittel and Webber's (1973) tame and wicked problem analysis. Consequently, tame and wicked problems will be used as a theoretical frame of reference to explore our data. Wicked problems are characterised as problems that lack clarity in their aims and solutions and are therefore difficult to solve due to their complex and interconnected nature. In contrast to tame problems, wicked problems cannot be handled as a system of enumeration phases in order to understand the problem or the mission, gather information, analyse information, synthesise information, and finally develop a solution. Due to the dynamic social context within which wicked problems arise, the type-of-schemes approach does not work as one cannot understand a problem without knowing about its context. One cannot first understand and then solve the problem as there are no solutions in the sense of definitive and objective answers (Rittel & Webber, 1973). Possible solutions depend on how the problem is framed.

The setting up and constraining of solution space and measures of performance are the wicked part of a problem. Wicked problems are characterised by the involvement of multiple stakeholders who may have radically different worldviews and different frames for understanding the problem. The constraints that the problem is subject to, and the resources needed to solve it, might change over time and/or the problem may never be solved definitively. Wicked problems occur in any domain involving stakeholders with differing perspectives. Normal solutions no longer seem to work; there might be no agreement on the nature of the problem, and certainly no clear view on what interventions might work to resolve it. There are complex interdependencies which may reveal or create new problems when trying to solve aspects of the wicked problem (Rittel & Webber, 1973).

This study was conducted in Norway, where child and family public services are organised within the overall welfare state. Norway is a nation with a strong element of control and where public services have authority to make intrusive interventions into family life (Helland, Pedersen, & Skivenes, 2022). Like Australia, Norway is one of the few countries to have mandatory mediation when parents split up, framed within the Children Act (1981) article 51. The child welfare system has a broader scope than other more liberal Western countries' child protection systems (for further descriptions, see Heggdalsvik & Samsonsen, 2022; Samsonsen, 2016). Based on the experience and understanding of high conflict by professionals in family counsellor services (FCS) and child welfare services (CWS), the research question of this paper

*is: How do professionals in family counsellor and child welfare services understand and experience high conflict in terms of complexity?*

## **Methods**

A qualitative approach was selected to assimilate professionals' understanding and experiences of high conflict in Norwegian FCS and CWS. Consequently, a qualitative approach based on reflexive thematic analysis was chosen (TA) (Braun & Clarke, 2006, 2019; Clarke & Braun, 2018).

## **Recruitment**

The recruitment aimed to obtain a strategic and heterogeneous range, which is a characteristic of qualitative studies (Thagaard, 2013). A strategic range means that the participants were chosen based on the characteristics or qualifications that were strategic relative to the research questions and the study's theoretical perspectives (Thagaard, 2013).

Twenty-two women and two men were interviewed. The participants' experience of FCS and CWS varied. To safeguard their anonymity, we have used pseudonyms in the presentation of the findings.

## **Focus group interviews**

Findings presented in this paper are based on empirical data from four focus group interviews conducted in January 2020. There were two focus group interviews with participants from FCS and two focus group interviews with participants from CWS, with a total of 24 participants. A request with information about the study was sent to managers of the different services. To ensure that we shed light on the research question, the services were asked to provide informants whose day-to-day work involves parental conflict.

The interviews were conducted by the first and third authors at the different services' offices. All interviews lasted approximately 90 minutes and included a small break. The interviews were recorded and transcribed by an external party immediately after the interviews were conducted.

The informants were introduced to eight question cards<sup>1</sup> organised into two main topics. One of the informants in each group was responsible for asking questions from the cards in chronological order. The participants were instructed not to look at the next card before the focus group had agreed that they had fully discussed each question. The main topics contained the two headings: (1) What inhibits and what promotes constructive co-operation between the CWS and the FCS in cases concerning deadlocked parental conflict? and (2) What is collaboration practice like between the FCS and the CWS in situations where the services are concerned about the children's care situation?

The participants were presented with the following questions: (1) What distinguishes your meetings with children and families in these situations? (2) Children living in families with deadlocked parental conflict might involve two acts: The Children Act, and the Child Welfare Act. What do you think about that? Eventual experiences. (3) Which experiences do you have with regard to reporting concerns about children? What circumstances trigger your duty to report the way you see it? Can you please discuss what assessments precede a report of concern? Can you please

express what assessments you make in advance of such enquiries? (4) Do you have any thoughts or suggestions on what the FCS and the CWS can do in order to help children living with deadlocked parental conflict that gives rise to concern?

### Data Analysis

The analysis is based on the transcriptions of what the professionals at the FCS and CWS discussed in relation to the questions presented. The emphasis was on the content of the professional family counsellors' and child welfare case workers' assessments and reflections. Inspired by TA, statements were read thoroughly several times and analysed (Braun & Clarke, 2006, 2019; Clarke & Braun, 2018). To increase the credibility of the data and to capture themes, the first author of this paper worked separately with the data before coming together with the third author several times for co-reading and discussions. A key consideration when selecting a theme was its significance captured in relation to the overall research question (Braun & Clarke, 2006).

TA is not bound to a specific theoretical or epistemological approach and consequently offers considerably flexibility. We used four steps, inspired by TA (Braun & Clarke, 2019): (1) Familiarisation with the data: the first author read and re-read the dataset several times writing down the initial ideas about possible themes. (2) Based on the tentative ideas and themes from step one, the second phase involved systematically coding interesting characteristics in the data material. (3) Step three involved identifying and naming themes among the numerous codes in the data material, which were: (a) unclear definition of high conflict, (b) conflicting agendas causing stress in the family system, (c) being a professional working with high conflict, (d) calls for further knowledge and resources, and a transdisciplinary approach. (4) The fourth step involved the preparation of the written 'report,' in this case the article. The first author was responsible for the first draft of the various sections and sent them to the other two authors for their comments and feedback.

### Research ethics

All procedures were conducted in accordance with the Helsinki declaration of 1975, as revised in 2000 (World Medical Association, 2013). This study was approved in 2019 by the Norwegian centre for research data (# 981003). All participants signed a consent form and received copies of the approvals for the research project. All informants were informed about their right to withdraw from the research project at any stage without the need for explanation. All transcripts were anonymised.

### Findings

Each finding is exemplified by quotes from the participants. Using focus group interviews, our questions generated discussions between the participants. However, the interviews were not characterised by disagreements, rather reflections mirroring the headings of the different themes. Thus, we have decided to show only short extracts from the transcriptions.

***Unclear definition of high conflict.*** The informants emphasised the challenge of breaking down and concretising the phenomenon of high conflict. They were, in general, clear that the term 'high conflict' is multifaceted: 'These are the cases we find most difficult to work with' (FCS1). They stated that the terms used to describe the

phenomenon is the professional services' term and were not sure whether the parents understood the term or how professionals saw and categorised them as parents. The informants also noted great variation in how conflicts turn out in different families, but complexity was a key term. There are differences in stories and often a long history with other problems 'behind' parental conflicts. Often discussions among parents end up being very detailed, which makes it challenging as a professional to interpret what the situations are about. The latter noted the ease of getting trapped in the conflict and becoming an intermediary and, as a result, there is a real danger of not being able to do anything.

The informants also problematised another aspect of working with high conflict, in that there is a possibility that the label 'high conflict' in itself is challenging: 'High conflict becomes the definition of the problem; it stops us in a way, and we do not know how to handle it' (FCS4). By labelling a situation as high conflict, there is a greater risk of losing sight of the children involved and a greater chance of categorising the situation as a 'high conflict case' and not a 'child neglect case.' The informants also discussed the risk that services can become paralysed by the conflict, which may result in children not getting help because no one dares to be involved with the family due to the high conflict label.

***Conflicting agendas cause stress in the family system.*** In all four groups, there was consensus that children experiencing enduring parental high conflict are at risk. The conflicts cause severe stress and are described as stressful for everyone involved. During conflicts, the professionals described children as confused and always on edge and easily losing focus in their day-to-day lives. One informant used the term 'extremely skilled balancing artists' (FCS4) when describing the children. Several dilemmas were pointed to as examples of the harm that high conflict inflicts on children. Children were observed to be in the middle of the parents' conflict and the professionals were concerned about the children's feelings and their expressions of a need to be loyal to both parents. Another dilemma is the experience of a high degree of neglect in many high conflict families because children feel they are not seen. Sometimes children need to be taken into care because there is no other solution. This dilemma was reflected on in terms of whether it is fair for professionals to consider taking children into care due to insufficient measures. Another dilemma is valuable time in a child's life versus the time professionals spend in their attempts to help: 'So we actually think that these children have to endure quite a lot while we as professionals try to find measures that will work out, and that is a dilemma, yes' (CWS2).

There was consensus in all four focus groups that professionals experience parents as vulnerable, and that parents easily misunderstand. Often, as a result, parents claim that the professionals are choosing to side with one of the parents in the conflict. The parents are described as mostly claiming their own needs and seeing themselves as the violated party in the conflict. One of the informants put it this way: 'It is madness that they do not see how much the conflict damages and destroys.' As part of their discussion, they reflected on the question of what they as professionals can do to make parents understand how harmful these conflicts are towards their children. On the other side, one informant raised another aspect in that most parents in high conflicts are in a crisis and are negotiating about what is most vulnerable and precious in their life. This negotiation is with the person for whom they hold most contempt, which most likely is not a good starting point for being a reflexive parent.

In addition to children and parents, the professionals also had experience of working with clients' extended families and networks. These experiences helped professionals to see the conflicts from a broader perspective: 'It is as if the conflict in itself has a function in the family' (CWS3). Other informants emphasised the experience of strong familiar forces outside the parents. Grandparents on both sides were often engaged. In some families, it is like family trees who are in conflict with each other, often with several 'broken branches.' As part of their work, the professionals sometimes experience progress at one stage, but in the next meeting the situation has changed, and the professionals express a feeling of regress. They often get strong feelings that there are other forces around the parents that are not physically present in the room but are of great influence behind the scenes.

***Being a professional working with high conflict.*** The professionals expressed a mix of feelings when they described their experiences of being a professional working with parental high conflict. There were feelings of powerlessness, discouragement, paralysis of action, exhaustion, and problems that never end but become new ones at different stages of children's lives. The professionals emphasised the experience of easily being dragged into the 'high voltage line' (CWS2). Experiences of sudden realisations that they themselves were caught in the middle of the conflict resulted in reflections that their contribution may even be making the conflict worse. These kinds of situations were expressed as most challenging.

The professionals highlighted time as a dimension. Working with these conflicts takes time and there are several elements to assess and take into consideration. It is easy to get confused and there is a need to regularly reflect on what is going on. The informants were aware of the potential of being dragged into the conflict and becoming part of it, which challenges their endeavours to work systematically. Reflections on their own feelings of exhaustion are transferred to reflections on how these conflicts must be experienced by the children involved. The informants discussed the fact that there are some conflicts that never come to an end. Then they remind themselves of the following: 'So, when we are eaten up by the parents' conflict, we must not forget the children' (CWS2).

The informants emphasised several relevant reflexive questions when assessing the conflicts. First, they raised the overall question of how best to assess these cases. Another challenge is how to decide what level the conflicts are at, what options they have for helping the different families, and how to work with the family in the best way. A key question was also what is most important in a high conflict case and how to decrease the conflict as the starting point for their efforts. The informants discussed what 'help' actually is, when working with these families. They also reflected on how they can measure possible improvements in a family. Another issue discussed by the informants was how high conflict situations, often described by the participants as 'heavy material,' are allowed by the professional system to last too long. They reflected on experiences of cases that pervade their systems over a long period of time. Several times, they experienced cases that return. A question was raised whether it is ever possible to express that one has succeeded. One of the informants asked: 'Do we spend too much time on finding the truth?' (CWS3). Regardless of all questions that were raised during the interviews, they agreed they spend a lot of time trying to understand the core of different conflicts and that they rarely find quick solutions.

***Calls for more knowledge and resources, and a transdisciplinary approach.*** An overall description from one of the focus groups was the importance of structure and methods. The informants also asked for more research on already established structures and methods. Due to the experience of the challenge in helping children and parents when parents have reached the point of an intertwined high conflict, the informants discussed several areas of improvement for how they do their work. Emphasis was placed on prevention factors at different levels. Informants from CWS expressed a lack of appropriate services for support. They all pointed towards a need for increased knowledge about fracture processes among parents in general in society. The informants also pointed to the need for professionals to gain more knowledge about deadlocked parental high conflict and how to work within these families, as well as to develop a more common understanding among professionals.

The informants all agreed on the importance and need for transdisciplinary collaboration in general around families involving high conflict between parents. Nevertheless, experiences and reflections expressed: 'That is what is so difficult, what can we do, how can we possibly achieve something, how can we achieve constructive collaboration, what do we actually want with collaboration, what do we actually wish to achieve?' (FCS4). The informants pointed towards unclear expectations of each other's services, expressing unclear boundaries between services and differences in mandates and jurisdictions with a struggle to find the right point for overlap while not quite knowing what other services are doing and how to collaborate. On the other hand, the informants emphasised the value of collaboration, so they do not lose sight of the children.

Another aspect mentioned was that families access collaborative services to get the most appropriate help, but the dilemma is that children are unable to receive it. Parents involved in high conflict harmful to their children may refuse any help from the counselling service since it is voluntary. Services may have an earlier experience of parents concluding they may not benefit from help because of not seeing changes in behaviour. Another aspect was the parents who refuse more help in cases where CWS ought to act and argue in court that a child needs to be taken into care due to high conflict. A question raised was what children involved in high conflict are left with if FCS and CWS are unable to help.

## **Discussion**

This study sought to provide insight into how professionals in FCS and CWS understand and experience high conflicts in terms of their complexity. Tame and wicked problems are used as a theoretical frame of reference. While FCS and CWS are given different mandates and are regulated by different laws, their professional understanding and assessments are crucial for children. In line with previous studies, this study also shows that professionals assess high conflict as challenging (Black et al., 2016; Jevne & Andenaes, 2017; Saini, Black, Godbout, & Deljavan, 2019; Sudland & Neumann, 2020). The professionals also seem to be easily 'trapped' within the parents' conflict-based system. As part of attempts not to become part of the parents' conflict and take sides, professionals face the challenge of how to develop new solutions. The professionals described how feelings of powerlessness, discouragement, paralysis of action, and exhaustion can manifest after struggling with trying to solve the problem. Issues include: (1) professionals find the constant narratives told to

support the parents' own understanding of the conflict challenging; (2) when faced with the relational process, professionals often find addressing the conflict as complex; (3) the stories told are often different, and the starting point for understanding the conflict challenges professionals' solutions in high conflict cases.

The theoretical descriptions of wicked problems might be helpful when discussing how to approach high conflict cases involving children. This is because the hallmark of wicked problems is not only differences in the definition of the problem, but also different perspectives on how to approach solutions to problems (Rittel & Webber, 1973). When a complex and wicked problem is addressed, a variety of interpretations and responses may be identified, and although each version of the problem has an element of truth, no single version captures the whole problem (Harris, Brown, & Russell, 2010). There are rather different understandings of the 'truth.' Targeting one part of the problem can raise problems in another part of the problem, because of the parents' internal conflicting goals. This can be understood as the problem being circular in nature (Stratton et al., 2009). Based on a circular understanding, changes at one place within the problem system will mutually reinforce the members and parts of the system. Consequently, even a small change will change the entire system (Schjødt, 1989). A systemic understanding resonates in many ways with the problem of framing wicked problems. However, being in intractable conflict, most parents understand it in linear terms and are not interested in or open to an understanding that includes themselves as both a part of the problem and the solution (Lorås & Tyskø, 2019). To them, it is the other party who needs to change.

Our findings show that, in line with Van Lawick and Visser (2015), children are often caught in the middle of two parents with a very different understanding of the conflict. With this divergent starting point, a further challenge is the escalating nature of the conflict (Coleman, Deutsch, & Marcus, 2014). Seeing high conflict through the lens of a risk perspective, which is the responsibility of CWS, the weighing of a child's adjustment towards their parents as an autonomous system poses a challenge to professionals. A central question is how to approach each family with respect to the parents' different understanding of the conflict, and at the same time provide support and safety for the children involved (Fluke, Corwin, Hollinshead, & Maher, 2016). Even if their child is at risk, parents in high conflict do not seem to benefit from therapy or similar services offered by professionals but instead seem to resist change even if the conflict is harmful for everyone involved. Family system theory (Priest, 2021) may be helpful in understanding how high conflicts affect the main system they take place within. In high conflict cases, the system mainly consists of the broken couple. Family system theory predicts and explains how people within a system (even a broken couple system) interact, and how interactions inside the system are different from those outside of it. The system responds to stress from inside and outside by making changes to its rule-based boundary-making processes (Priest, 2021). Based on such understanding, the couple will hardly be open to proposals for solutions from professionals outside their system, even if they do not manage the conflict themselves.

If a problem is framed as a wicked problem, there will be no quick-fix solutions, since the main problem is how to define its cause (Rittel & Webber, 1973). Our study points towards an unclear definition which is in line with wicked problems. The problems rarely sit conveniently within any one person, discipline, or organisation, making it difficult to place responsibility (Harris, Brown, & Russell, 2010). An

unclear definition and understanding of the concept may challenge the way professionals explore high conflict. It also complicates discussions among professionals by taking for granted that all professionals understand the concept in the same way. Unclear interpretations and interpretations within the framework of their own service may turn the concept into a double-edged sword. There is a chance that the label itself indicates a kind of typology as a self-fulfilling prophecy even before the professionals have met each unique child and family.

The participants asked for more research on helpful methods when working with high conflict. However, trying to identify the 'correct' theoretical approach does not seem to be helpful for any of those involved. This is also supported by research, as there seem to be minor differences between the different therapeutic approaches. However, most of them seem to have the same effect (Wampold & Imel, 2015). Consequently, it is more important how professionals work with the parents or collaborate with the partners involved. The nature of wicked problems is multicausality. The problem is, therefore, always changing and unpredictable. It is therefore more fruitful to facilitate new understanding and generate options for managing the problem, instead of solving it. There is no single solution. In working with high conflict cases, professionals argue for different approaches to address the problem. In systemic terms, there is always a multiverse of understanding and possibilities for each problem (Maturana & Varela, 1987). On the other hand, the fact that there are children at risk requires action, and professionals are obliged to prevent child maladjustment. There is a need for consecutive assessments in situations where solutions are rarely stable over time.

The complexity, unpredictability, and instability of high conflicts fit with the framework of wicked problems. An important aspect is professionals' understanding and interpretation of the phenomenon. Devaney and Spratt (2009) argue that child protection issues are wicked problems that are complex and less amenable to being solved, which allows professionals to focus on achieving better outcomes for children. We argue for high conflict cases to be understood and framed in the same manner. When dealing with a wicked problem, the professionals involved need to be aware of its multicausality and interdependencies. In terms of the consequences of high conflict for the children, parents, and families involved, we argue in line with Harris, Brown, and Russell (2010) the need for an open critical enquiry that acknowledges the paradoxes alluded to in this paper. Rather than searching for new knowledge, methods, and solutions, therapists may benefit from interpreting high conflict as a complex and wicked phenomenon.

### **Concluding Comments**

In this article, a qualitative study of professionals' experiences and understanding of high conflicts was understood and analysed as wicked problems. By using wicked problems as a theoretical lens, our intention has been to bring an analytical tool to help professionals assess high conflict more widely before 'rushing into families' and suddenly getting the feeling of being trapped in the conflict. In arguing that high conflict is a kind of problem that has no correct solution, we stress the importance of spending time analysing it before entering a family situation. Given the phenomenon's complexity this applies regardless of the contextual frameworks of different countries. There is a wholeness between theory and practice, and one of our



intentions in this article is to contribute and raise analytical reflections relevant for both professional practitioners as well as researchers. We hope the article will act as a springboard to a broader discussion in understanding and analysing the phenomenon of high conflict, both for professional practitioners and to stimulate further research.

### Limitations

In TA, it is rarely practical, or desirable, to evidence every analytic observation by quoting data (Braun & Clarke, 2019). Consequently, the search for patterns and connections in the data might decrease the presence of the unique voices of the informants. This may entail that an individual contextual framework sometimes is not clearly expressed in an overarching discussion. An obvious weakness of this study is the fact that there were 22 women and only two men in the participant group. Although gender is not relevant to the research question, there is a skewed distribution. A more even selection would perhaps show other findings. Nevertheless, there is, in fact, a predominance of women in the services represented in this study. The findings are therefore of relevance. The difference between the assessments made in the focus group interviews, in contrast to the assessments made in practice is, of course, a limitation of this study.

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### Note

<sup>1</sup> The cards were produced as 6 × 6 cards with separate questions.

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Vår dato: 24.11.2014

Vår ref: 40545 / 3 / MSS

Deres dato:

Deres ref:

## TILBAKEMELDING PÅ MELDING OM BEHANDLING AV PERSONOPPLYSNINGER

Vi viser til melding om behandling av personopplysninger, mottatt 31.10.2014. Meldingen gjelder prosjektet:

<i>40545</i>	<i>Barns omsorgssituasjon i skjæringspunktet mellom barnevern og familievern</i>
<i>Behandlingsansvarlig</i>	<i>Høgskolen i Bergen, ved institusjonens øverste leder</i>
<i>Daglig ansvarlig</i>	<i>Inger Kristin Heggdalsvik</i>

Personvernombudet har vurdert prosjektet og finner at behandlingen av personopplysninger er meldepliktig i henhold til personopplysningsloven § 31. Behandlingen tilfredsstiller kravene i personopplysningsloven.

Personvernombudets vurdering forutsetter at prosjektet gjennomføres i tråd med opplysningene gitt i meldeskjemaet, korrespondanse med ombudet, ombudets kommentarer samt personopplysningsloven og helseregisterloven med forskrifter. Behandlingen av personopplysninger kan settes i gang.

Det gjøres oppmerksom på at det skal gis ny melding dersom behandlingen endres i forhold til de opplysninger som ligger til grunn for personvernombudets vurdering. Endringsmeldinger gis via et eget skjema, <http://www.nsd.uib.no/personvern/meldeplikt/skjema.html>. Det skal også gis melding etter tre år dersom prosjektet fortsatt pågår. Meldinger skal skje skriftlig til ombudet.

Personvernombudet har lagt ut opplysninger om prosjektet i en offentlig database, <http://pvo.nsd.no/prosjekt>.

Personvernombudet vil ved prosjektets avslutning, 01.12.2015, rette en henvendelse angående status for behandlingen av personopplysninger.

Vennlig hilsen

Katrine Utaaker Segadal

Marie Strand Schildmann

Kontaktperson: Marie Strand Schildmann tlf: 55 58 31 52

Vedlegg: Prosjektvurdering

*Dokumentet er elektronisk produsert og godkjent ved NSDs rutiner for elektronisk godkjenning.*

*Avdelingskontorer / District Offices:*

*OSLO:* NSD, Universitetet i Oslo, Postboks 1055 Blindern, 0316 Oslo. Tel: +47-22 85 52 11. nsd@uio.no

*TRONDHEIM:* NSD, Norges teknisk-naturvitenskapelige universitet, 7491 Trondheim. Tel: +47-73 59 19 07. kyrre.svarva@svt.ntnu.no

*TROMSØ:* NSD, SVF, Universitetet i Tromsø, 9037 Tromsø. Tel: +47-77 64 43 36. nsdmaa@sv.uit.no



Utvalget informeres skriftlig om prosjektet og samtykker til deltakelse. Informasjonsskrivet er godt utformet, men vi ber om at følgende setning nederst i informasjonsskrivet fjernes, da en ikke aktivt skal måtte reservere seg eller svare på henvendelsen: "Dersom du ikke vil delta kan du trykke på linken nederst i denne eposten".

Revidert informasjonsskriv skal sendes til [personvernombudet@nsd.uib.no](mailto:personvernombudet@nsd.uib.no) før utvalget kontaktes.

Personvernombudet legger til grunn at forsker etterfølger Høgskolen i Bergen sine interne rutiner for datasikkerhet. Dersom personopplysninger skal sendes elektronisk, bør opplysningene krypteres tilstrekkelig.

Questback er databehandler for prosjektet. Høgskolen i Bergen skal inngå skriftlig avtale med Questback om hvordan personopplysninger skal behandles, jf. personopplysningsloven § 15. For råd om hva databehandleravtalen bør inneholde, se Datatilsynets veileder: <http://www.datatilsynet.no/Sikkerhet-internkontroll/Databehandleravtale/>.

Forventet prosjektslutt er 01.12.2015. Ifølge prosjektmeldingen skal innsamlede opplysninger da anonymiseres. Anonymisering innebærer å bearbeide datamaterialet slik at ingen enkeltpersoner kan gjenkjennes. Det gjøres ved å:

- slette direkte personopplysninger (som navn/koblingsnøkkel)
- slette/omskrive indirekte personopplysninger (identifiserende sammenstilling av bakgrunnsopplysninger som f.eks. bosted/arbeidssted, alder og kjønn)

Vi gjør oppmerksom på at også databehandler (Questback) må slette personopplysninger tilknyttet prosjektet i sine systemer. Dette inkluderer eventuelle logger og koblinger mellom IP-/epostadresser og besvarelser.

Undertegnede arbeider med oppstart av et forskningsprosjekt som har fokus på risikofylte foreldrekonflikter.

Barne-, likestillings- og inkluderingsdepartementet har meldt at de vil sette fokus på å identifisere og utrede problemstillinger i skjæringspunktet mellom barneloven og barnevernloven. Kunnskapsgrunnlaget om familiekonfliktsaker og skjæringspunktet mellom familievern og barnevern er imidlertid sparsomt.

Forskningsprosjektet «Risikofylte foreldrekonflikter» har som målsetting å belyse omfang av saker og undersøke hvordan familievern og barnevern vurderer og arbeider med barn som er i høykonfliktfamilier.

Første del av prosjektet er en undersøkelse til alle ansatte ved familievernkontor i Norge i form av et Questback spørreskjema. Å svare på undersøkelsen vil ta ca. 20 minutter.

Undersøkelsen gjøres med veiledning av Professor Marit Skivenes ved Universitetet i Bergen. Prosjektet er godkjent av Norsk Samfunnsvitenskapelig Datatjeneste (NSD). Bufdir. er informert om prosjektet.

For at undersøkelsen skal kunne gjennomføres er vi avhengig av å kunne sende undersøkelsen til den enkelte ansatte sin e-postadresse. All informasjon som innhentes vil bli behandlet og oppbevart som konfidensielt materiale, og undersøkelsen gjennomføres med skjult identitet. Med en gang undersøkelsen avsluttes er alle svar 100 % anonyme.

Denne e-posten er en orientering om prosjektet, samt et spørsmål om dere kan være behjelpelig med tilgang til e-post adressene til de faglig ansatte ved deres kontor.

Har dere spørsmål om prosjektet eller noe er uklart, vennligst ta kontakt med undertegnede pr. tlf. 55 58 78 42 eller 90 82 02 61.

Med vennlig hilsen/Kind regards

Inger Kristin Heggdalsvik  
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Følg Høgskolen på [facebook](#), [twitter](#) og [linkedin](#)



**Forskningsprosjekt om risikofylte foreldrekonflikter i skjæringspunktet mellom familievern og barnevern**

Undertegnede arbeider med oppstart av et forskningsprosjekt som har fokus på risikofylte foreldrekonflikter.

Barne-, likestillings- og inkluderingsdepartementet har meldt at de vil sette fokus på å identifisere og utrede problemstillinger i skjæringspunktet mellom barneloven og barnevernloven. Kunnskapsgrunnlaget om familiekonfliktsaker og skjæringspunktet mellom familievern og barnevern er imidlertid sparsomt.

Forskningsprosjektet «Risikofylte foreldrekonflikter» har som målsetting å belyse omfang av saker og undersøke hvordan familievern og barnevern vurderer og arbeider med barn som er i høykonfliktfamilier.

Denne undersøkelsen sendes til alle ansatte ved Familievernkontor i Norge.

Undersøkelsen vil bli gjennomført ved hjelp av et Questback spørreskjema. Din e-post adresse er innhentet fra Bufetat. All informasjon som innhentes blir behandlet og oppbevart som konfidensielt materiale, og undersøkelsen gjennomføres med skjult identitet. Med en gang undersøkelsen avsluttes er dine svar 100 % anonyme, men mens undersøkelsen er åpen er det en teoretisk mulighet til å koble svar og computeradresse.

Å svare på undersøkelsen vil ta ca. 20 minutter.

Resultatene fra undersøkelsen skal publiseres i vitenskapelige tidsskrifter.

Undersøkelsen gjøres med veiledning av Professor Marit Skivenes ved Universitetet i Bergen. Prosjektet er godkjent av Norsk Samfunnsvitenskaplig Datatjeneste (NSD)

Har du spørsmål vedrørende undersøkelsen eller det er noe som er uklart, vennligst ta kontakt pr. tlf. 55 58 78 42/90 82 02 61, eller pr. e-post [ikh@hib.no](mailto:ikh@hib.no)

Jeg håper du har mulighet til å delta.

Trykk på linken nedenfor for å åpne spørsmålene.

Mvh

Inger Kristin Heggdalsvik  
Høgskolelektor  
Høgskolen i Bergen



## Risikofylte foreldrekonflikter

Nedenfor blir du presentert for noen spørsmål knyttet til risikofylte foreldrekonflikter

- 1) Har du i løpet av de siste to årene bedt om råd eller veiledning hos barneverntjenesten der du har drøftet bekymring for et barns omsorgssituasjon anonymt?

Svaralternativ: Ja, nei, vet ikke

- 2) Har du i løpet av de siste to årene hatt saker der du har vært så bekymret for et eller flere barn at du har VURDERT Å MELDE fra om din bekymring til barneverntjenesten?

Svaralternativ: Ja, nei, vet ikke

- 3) Har du i løpet av de to siste årene MELDT om bekymring for et eller flere barn til barneverntjenesten?

Svaralternativ: Ja, nei, vet ikke

**3a) Om du har svart Ja på spørsmål 3, hvor mange ganger de siste 24 månedene har du meldt til barneverntjenesten?**

Svaralternativ: Åpent svar

4) På bakgrunn av din erfaring, hva er de tre vanligste grunnene til at foreldrekonflikter kan utgjøre en risiko for barns utvikling/omsorgssituasjon? (Angi én grunn i hvert av feltene under)

Åpent svar

Åpent svar

Åpent svar

5) Andre forhold du synes er viktig

Åpent svar

- 6) **Ved min arbeidsplass har vi rutiner for å vurdere om barn er i en risikofylt omsorgssvikt situasjon grunnet foreldrenes konflikter**

Svaralternativ: Ja, nei, rutiner er under utarbeidelse, vet ikke

**Nedenfor blir du presentert for noen påstander knyttet til risikofylte foreldrekonflikter**

- 7) Jeg synes det er vanskelig å vurdere når et barns omsorgssituasjon skal meldes til barneverntjenesten

Svaralternativ: 1 helt enig, 2, 3, 4, 5 helt uenig

- 8) Jeg synes det er vanskelig å melde til barneverntjenesten fordi det bryter min relasjon og tillitsforhold til familien

Svaralternativ: 1 helt enig, 2, 3, 4, 5 helt uenig

- 9) Jeg synes det er vanskelig å tolke lovbestemmelsen om meldeplikten til barnevernet

Svaralternativ: 1 helt enig, 2, 3, 4, 5 helt uenig

- 10) Jeg synes det er viktig at jeg kan ta kontakt med barneverntjenesten for å avklare om jeg har meldeplikt eller ikke

Svaralternativ: 1 helt enig, 2, 3, 4, 5 helt uenig

**Nedenfor presenteres du for fire ulike familiesituasjoner som er konstruerte for denne undersøkelsen. Vi ber om at du forestiller deg at dette er familier som du har ansvaret for i din jobb på familievernkontoret. Informasjonen som her presenteres er en oppsummering av hovedtrekkene slik situasjonen er for familien i dag. Vi ber deg lese sakene og svare på noen spørsmål.**

## **FAMILIE A - Trine og Harald med tre barn**

Du arbeider med en familie der uenigheten gjelder tre barn; Stine 4år, Mads 6 år og Henrik 8 år. Trine og Harald flyttet fra hverandre like etter at Stine ble født. Tingretten fattet for to år siden vedtak om at foreldrene skal ha delt omsorg for barna. Trine tok for en måned siden kontakt med familievernkontoret og ba om å få en time hos deg. Etter dette har både Trine og Harald vært til samtale med deg hver for seg. Foreldrene nekter å være tilstede i samme samtale. I samtaler med deg omtaler Trine barnas far som en «galning» og sier at det hverken går an å stole på han eller å samarbeide med han. I samtaler med Harald sier han tilsvarende om Trine. I samtaler med deg har de hver for seg innrømmet at de ikke alltid har greid å skjerme barna når de har kranglet. Trine har innrømmet at hun ved flere anledninger har kastet knuselige gjenstander etter Harald i hente/bringe situasjoner. Alle tre barna har vært til stede når dette har skjedd. Begge foreldrene har nektet å samtykke til at du skal få snakke med barna. Du har jobbet med å bedre kommunikasjonen mellom foreldrene, men tenker at dette er svært utfordrende å få til.

### **A-1) Hvordan vurderer du risikoen for barnas omsorgssituasjon i denne situasjonen?**

Svaralternativ: ingen risiko, svært lav risiko, lav risiko, høy risiko, svært høy risiko, vet ikke

### **A-2) Hvilke forhold i saken er det som gjør at du vurderer risikoen for barna på denne måten?**

Svaralternativ: Åpent

### **A-3) Ville du tenkt at du har meldeplikt til barneverntjenesten i denne saken?**

Svaralternativ: Ikke sannsynlig, lite sannsynlig, sannsynlig, svært sannsynlig, vet ikke

### **A-4) Har du andre synspunkt?**

Svaralternativ: Åpent

## **FAMILIE B – Maria og Geir med tre barn**

Du har i løpet av det siste halvåret hatt jevnlig samtaler med Maria som på eget initiativ tok kontakt og ba om å få råd og veiledning. Maria har Eirik (13 år) fra et tidligere forhold. Eirik sin far døde for tre år siden. Maria er samboer med Geir, og de har to barn; Siri 6 år og Tirill 8 år. Alle tre barna bor sammen med Maria og Geir. Maria sier hun synes det er en del ting som er vanskelig. Hun opplever oftere og oftere at spesielt Tirill er engstelig for å være alene hjemme med Geir. Alle tre barna har ved ulike anledninger gitt uttrykk for at de er redd for Geir når han blir sint. Spesielt Eirik har gitt uttrykk for dette flere ganger. Her forrige dagen kom Tirill og spurte om de pappaene som slår, om de kommer i fengsel. Maria sier hun ikke har noen grunn til å mistenke Geir for noe, og at hun ikke forstår hvorfor barna uttrykker redsel for han. Maria forteller at hun opplevde at far til Eirik var voldelig mot henne, men det er ikke tilfelle med Geir. Maria sier hun ikke ønsker at Geir skal få vite at hun går til samtaler med deg på Familievernkontoret.

**B-1) Hvordan vurderer du risikoen for barnas omsorgssituasjon i denne situasjonen?**

Svaralternativ: ingen risiko, svært lav risiko, lav risiko, høy risiko, svært høy risiko, vet ikke

**B-2) Hvilke forhold i saken er det som gjør at du vurderer risikoen for barna på denne måten?**

Svaralternativ: Åpent

**B-3) Ville du tenkt at du har meldeplikt til barneverntjenesten i denne saken?**

Svaralternativ: Ikke sannsynlig, lite sannsynlig, sannsynlig, svært sannsynlig, vet ikke

**B-4) Har du andre synspunkt?**

Svaralternativ: Åpent

## **FAMILIE C – Irina og Kristian med fire barn**

Irina og Kristian er foreldre til Igor 15 år, Marina 11 år, Anna 9 år og Emil 6 år. Foreldrene møtte til meklingsamtale for to år siden. De hadde på det tidspunktet bodd fra hverandre i 6 mnd. Det var Kristian som tok kontakt med Familievernkontoret fordi han ikke fikk treffe sine barn. Kristian fortalte at det var han som flyttet ut fordi han ikke greide mer. Det ble avtalt at Irina skulle ha daglig omsorg for barna grunnet Kristian sin arbeidssituasjon. Nå har Kristian på nytt tatt kontakt. Han forteller i samtale at Irina sier at hun som mor eier barna og at ingen skal komme og fortelle henne hvordan hun skal oppdra sine barn. Kristian er fortvilet fordi hverken han eller hans foreldre får treffe barna. Etter at skilsmissepapirene ble underskrevet har situasjonen bare forverret seg. Kristian er redd for at Irina plutselig bare reiser fra Norge og tar med seg barna til Ukraina hvor hun opprinnelig kommer fra, noe hun har truet med flere ganger. Han er også bekymret for barna sine fordi han har hørt fra naboer at det ikke går så bra med de på skolen, samt at de blir omtalt som bleke og apatiske barn. For å skulle greie å betale bidrag til barna sier Kristian at han er nødt til å kjøre langtransport. Dette betyr at han er hjemmefra i lengre perioder. Kristian sier han er sikker på at Irina forteller til barna at han velger dem vekk og at de blir manipulert til å tro at han ikke bryr seg om dem.

### **C-1) Hvordan vurderer du risikoen for barnas omsorgssituasjon i denne situasjonen?**

Svaralternativ: ingen risiko, svært lav risiko, lav risiko, høy risiko, svært høy risiko, vet ikke

### **C-2) Hvilke forhold i saken er det som gjør at du vurderer risikoen for barna på denne måten?**

Svaralternativ: Åpent

### **C-3) Ville du tenkt at du har meldeplikt til barneverntjenesten i denne saken?**

Svaralternativ: Ikke sannsynlig, lite sannsynlig, sannsynlig, svært sannsynlig, vet ikke

### **C-4) Har du andre synspunkt?**

Svaralternativ: Åpent

## **FAMILIE D – Lene og André med to barn**

Du har over tid arbeidet med en familie der foreldrene ble skilt for tre år siden. Lene og André har delt omsorg for to barn: Andreas 10 år og Emma 12 år. I samtaler med deg forteller Andreas og Emma at foreldrene krangler om klær, ferier, besøk hos besteforeldre og annen nær familie. Barna sier de gruer seg til ferier og høytider da foreldrene bare krangler om hvor de skal være denne gangen. Dette til tross for at familievernkontoret har satt opp fast samværsavtale. Barna forteller at de må ha doble sett av klær fordi foreldrene ikke vil ha noe inn i sitt hus som den andre forelderen har kjøpt. Dersom de er uheldige og har glemt noe hos den ene forelderen så blir den andre sur. For eksempel mobiltelefonen som de må ha for i det hele tatt å ha kontakt med den andre forelderen. Barna forteller at spesielt Lene blir sur og sint dersom de har glemt eller mistet noen av eiendelene sine. Da bruker hun å si at hun har lite penger og at dersom hun må kjøpe nytt så blir det ikke penger til mat og de må gå på skolen uten frokost og matpakke. Andreas og Emma sier de aldri blir spurt om hva de ønsker eller hvordan de opplever sin egen situasjon.

**D-1) Hvordan vurderer du risikoen for barnas omsorgssituasjon i denne situasjonen?**

Svaralternativ: ingen risiko, svært lav risiko, lav risiko, høy risiko, svært høy risiko, vet ikke

**D-2) Hvilke forhold i saken er det som gjør at du vurderer risikoen for barna på denne måten?**

Svaralternativ: Åpent

**D-3) Ville du tenkt at du har meldeplikt til barneverntjenesten i denne saken?**

Svaralternativ: Ikke sannsynlig, lite sannsynlig, sannsynlig, svært sannsynlig, vet ikke

**D-4) Har du andre synspunkt?**

Svaralternativ: Åpent



## BAKGRUNNSINFORMASJON

**11) Jeg er**

Svaralternativ: Kvinne, mann

**12) Min alder (angi med tall f.eks. 47)**

Svaralternativ: åpent

**13) Utdanningsbakgrunn**

Svaralternativ: åpent

**14) Tidligere arbeidserfaring**

Svaralternativ: åpent

**15) Hvor mange faglig ansatte er det i tjenesten der du arbeider?**

Svaralternativ: åpent

**16) Hvor lenge har du jobbet i Familievernet?**

Svaralternativ: åpent

**17) Er du leder av tjenesten?**

Svaralternativ: ja, nei

# Vurdering

**Dato**

03.12.2019

**Type**

Standard

**Referansenummer**

981003

**Prosjekttittel**

Barn som lever med fastlåste foreldrekonflikter - hvordan samarbeider familievern og barnevern rundt disse barna?

**Behandlingsansvarlig institusjon**

Høgskulen på Vestlandet / Fakultet for helse- og sosialvitenskap / Institutt for velferd og deltaking

**Prosjektansvarlig**

Inger Kristin Heggdalsvik

**Prosjektperiode**

01.01.2020 - 31.12.2021

[Meldeskjema](#) 

**Kommentar**

Det er vår vurdering at behandlingen av personopplysninger i prosjektet vil være i samsvar med personvernlovgivningen så fremt den gjennomføres i tråd med det som er dokumentert i meldeskjemaet 03.12.2019 med vedlegg.

Behandlingen kan starte.

**ANSATTES TAUSHETSPLIKT**

Ansatte i barnevern og familievern har taushetsplikt. Derfor er det viktig at intervjuene gjennomføres slik at det ikke samles inn opplysninger som kan identifisere enkeltbarn, deres familier eller avsløre taushetsbelagt informasjon. Det er viktig at respondentene uttaler seg på et generelt grunnlag, og ikke tar utgangspunkt i enkeltbarn. Vi anbefaler at du er spesielt oppmerksom på at ikke bare navn, men også identifiserende bakgrunnsopplysninger må utelates i intervjuene, som for eksempel alder, kjønn, bosted og eventuelle spesielle hendelser. Vi forutsetter også at dere er forsiktig ved å bruke eksempler under intervjuene.

Du og utvalget ditt har et felles ansvar for at det ikke kommer frem taushetsbelagte opplysninger under intervjuene. Du bør derfor drøfte dette med taushetsplikten og hva den innebærer med fokusgruppene før intervjuene starter.

**TYPE OPPLYSNINGER OG VARIGHET**

Prosjektet vil behandle alminnelige kategorier av personopplysninger frem til 31.12.2021.

**LOVLIG GRUNNLAG**

Prosjektet vil innhente samtykke fra de registrerte til behandlingen av personopplysninger. Vår vurdering er at prosjektet legger opp til et samtykke i samsvar med kravene i art. 4 og 7, ved at det er en frivillig, spesifikk, informert og utvetydig bekreftelse som kan dokumenteres, og som den registrerte kan trekke tilbake. Lovlig grunnlag for behandlingen vil dermed være den registrertes samtykke, jf. personvernforordningen art. 6 nr. 1 bokstav a.

**PERSONVERNPRINSIPPER**

NSD vurderer at den planlagte behandlingen av personopplysninger vil følge prinsippene i personvernforordningen om:

- lovlighet, rettfærdighet og åpenhet (art. 5.1 a), ved at de registrerte får tilfredsstillende informasjon om og samtykker til behandlingen
- formålsbegrensning (art. 5.1 b), ved at personopplysninger samles inn for spesifikke, uttrykkelig angitte og berettigede formål, og ikke viderebehandles til nye uforenlige formål
- dataminimering (art. 5.1 c), ved at det kun behandles opplysninger som er adekvate, relevante og nødvendige for formålet med prosjektet
- lagringsbegrensning (art. 5.1 e), ved at personopplysningene ikke lagres lengre enn nødvendig for å oppfylle formålet

**DE REGISTRERTES RETTIGHETER**

Så lenge de registrerte kan identifiseres i datamaterialet vil de ha følgende rettigheter: åpenhet (art. 12), informasjon (art. 13), innsyn (art. 15), retting (art. 16), sletting (art. 17), begrensning (art. 18), underretning (art. 19), dataportabilitet (art. 20).

NSD vurderer at informasjonen som de registrerte vil motta oppfyller lovens krav til form og innhold, jf. art. 12.1 og art. 13.

Vi minner om at hvis en registrert tar kontakt om sine rettigheter, har behandlingsansvarlig institusjon plikt til å svare innen en måned.

#### FØLG DIN INSTITUSJONS RETNINGSLINJER

NSD legger til grunn at behandlingen oppfyller kravene i personvernforordningen om riktighet (art. 5.1 d), integritet og konfidensialitet (art. 5.1. f) og sikkerhet (art. 32).

Det er engasjert transkriptør som er databehandler i prosjektet. NSD legger til grunn at behandlingen oppfyller kravene til bruk av databehandler, jf. art 28 og 29.

For å forsikre dere om at kravene oppfylles, må dere følge interne retningslinjer og eventuelt rådføre dere med behandlingsansvarlig institusjon.

#### MELD VESENTLIGE ENDRINGER

Dersom det skjer vesentlige endringer i behandlingen av personopplysninger, kan det være nødvendig å melde dette til NSD ved å oppdatere meldeskjemaet. Før du melder inn en endring, oppfordrer vi deg til å lese om hvilke type endringer det er nødvendig å melde:

[https://nsd.no/personvernombud/meld\\_prosjekt/meld\\_endringer.html](https://nsd.no/personvernombud/meld_prosjekt/meld_endringer.html)

Du må vente på svar fra NSD før endringen gjennomføres.

#### OPPFØLGING AV PROSJEKTET

NSD vil følge opp ved planlagt avslutning for å avklare om behandlingen av personopplysningene er avsluttet.

Lykke til med prosjektet!

Kontaktperson hos NSD: Gry Henriksen

Tlf. Personverntjenester: 55 58 21 17 (tast 1)

## Vil du delta i forskningsprosjektet

### *”Barn som lever med fastlåste foreldrekonflikter – hvordan samarbeider barnevern og familievern rundt disse barna”?*

Dette er et spørsmål til deg om å delta i et forskningsprosjekt hvor formålet er å utforske samarbeidet mellom barne- og familievern i saker med fastlåste foreldrekonflikter. I dette skrevet gir vi deg informasjon om målene for prosjektet og hva deltakelse vil innebære for deg.

#### **Formål**

Denne studiens formål er å undersøke samarbeidsflaten mellom familievernkontor og barneverntjeneste rundt de barna som omfattes av begge lovverkene og dermed trenger koordinerte tjenester og et konstruktivt samarbeid mellom tjenestene.

#### **Hvem er ansvarlig for forskningsprosjektet?**

Ansvarlig institusjon for forskningsprosjektet er Høgskulen på Vestlandet (HVL), Institutt for velferd og deltaking.

#### **Hvorfor får du spørsmål om å delta?**

Vi har henvendt oss til to familievernkontor og to barnverntjenester, med spørsmål om fokusgruppeintervju alle fire stedene. Du jobber ved et av de kontorene som har stilt seg tilgjengelig i forskningsprosjektet, og får derfor spørsmål om du vil delta i studien. Det er din leder som gir forespørselen videre til interesserte ansatte ved sitt kontor.

#### **Hva innebærer det for deg å delta?**

Det gjennomføres et fokusgruppeintervju ved ditt kontor som tar maks 1,5 time. Det vil være 6 deltakere/ansatte fra ditt kontor i gruppen, samt to forskere fra HVL. Det er en intervjuguide med faste spørsmål, og gruppen vil få den informasjon og støtte som er nødvendig for å gjennomføre intervjuet. Hensikten er å utforske samarbeidsflaten mellom barnevern og familievern i saker med fastlåste foreldrekonflikter. Vi spiller inn gruppeintervjuet på en båndopptaker. Vi vil gjøre tilsvarende på de tre andre kontorene i studien.

#### **Det er frivillig å delta**

Det er frivillig å delta i prosjektet. Hvis du velger å delta, kan du når som helst trekke samtykke tilbake uten å oppgi noen grunn. Alle opplysninger om deg vil da bli anonymisert. Det vil ikke ha noen negative konsekvenser for deg hvis du ikke vil delta eller senere velger å trekke deg. Det vil ikke påvirke ditt arbeidsforhold eller fremtidig eventuell kontakt med HVL.

#### **Ditt personvern – hvordan vi oppbevarer og bruker dine opplysninger**

Vi vil bare bruke opplysningene om deg til formålene vi har fortalt om i dette skrevet. Vi behandler opplysningene konfidensielt og i samsvar med personvernregelverket. Det er kun vi to forskere ved

HVL som har signert dette skrivet som har tilgang til intervjuene/data i prosjektet. Ingen deltakere blir registrert ved navn eller personidentifikasjon i dette prosjektet. Alt materialet oppbevares på HVL sin dataservert, beskyttet av passord med stor sikkerhetsgrad. Når resultater fra forskningsprosjektet publiseres, skal det ikke være mulig å spore tilbake til enkeltpersoner i studien.

### **Hva skjer med opplysningene dine når vi avslutter forskningsprosjektet?**

Prosjektet skal etter planen avsluttes senest desember 2021. Da vil opptakene fra intervjuene slettes, sammen med samtykkeskjemaene til dere deltakere.

### **Dine rettigheter**

Så lenge du kan identifiseres i datamaterialet, har du rett til:

- innsyn i hvilke personopplysninger som er registrert om deg,
- å få rettet personopplysninger om deg,
- få slettet personopplysninger om deg,
- få utlevert en kopi av dine personopplysninger (dataportabilitet), og
- å sende klage til personvernombudet eller Datatilsynet om behandlingen av dine personopplysninger.

### **Hva gir oss rett til å behandle personopplysninger om deg?**

Vi behandler opplysninger om deg basert på ditt samtykke.

På oppdrag fra Høgskolen på Vestlandet (HVL) har NSD – Norsk senter for forskningsdata AS vurdert at behandlingen av personopplysninger i dette prosjektet er i samsvar med personvernregelverket.

### **Hvor kan jeg finne ut mer?**

Hvis du har spørsmål til studien, eller ønsker å benytte deg av dine rettigheter, ta kontakt med:

- Høgskulen på Vestlandet, ved Inger Kristin Heggdalsvik mailadresse [inger.kristin.heggdalsvik@hvl.no](mailto:inger.kristin.heggdalsvik@hvl.no) eller Vibeke Samsonsens mailadresse [vibeke.samonsen@hvl.no](mailto:vibeke.samonsen@hvl.no)
- NSD – Norsk senter for forskningsdata AS, på epost ([personverntjenester@nsd.no](mailto:personverntjenester@nsd.no)) eller telefon: 55 58 21 17.

Med vennlig hilsen

Prosjektansvarlige

Inger Kristin Heggdalsvik  
HVL signatur

Vibeke Samsonsens,  
HVL signatur

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## **Samtykkeerklæring**

Jeg har mottatt og forstått informasjon om prosjektet [*sett inn tittel*], og har fått anledning til å stille spørsmål. Jeg samtykker til:

å delta i fokusgruppeintervju

Jeg samtykker til at mine opplysninger behandles frem til prosjektet er avsluttet, ca. desember 2021

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(Signert av prosjektdeltaker, dato)

## **Intervjuguide:**

### **Barn som lever med fastlåste foreldrekonflikter – hvordan samarbeider barnevern og familievern rundt disse barna?**

Til gruppen: Vi ønsker å høre deres meninger og erfaringer knyttet til tema fastlåste foreldrekonflikter og barn i risiko.

*Hovedtema 1: Hva er det som hemmer og fremmer konstruktivt samarbeid mellom barneverntjenester og familievernkontor i saker med fastlåste foreldrekonflikter/høykonflikt?*

Spørsmål til gruppen:

- Hva er det første dere tenker på når vi introduserer temaet barn som lever med fastlåste foreldrekonflikter?
- Har dere erfaringer fra samarbeid mellom familievern og barnevern? Kan dere beskrive og utdype disse erfaringene?
- Hva skal til for at hjelpeapparatet skal kunne hjelpe barn som vokser opp med foreldre som er i langvarig og fastlåst foreldreskap slik dere ser det?
- Har dere forslag til hvordan samarbeid mellom familievern og barnevern kan bli bedre og mer hjelpsomt for disse barna og familiene?

*Hovedtema 2: Hvordan er samarbeidspraksisene mellom familievernkontor og barneverntjeneste rundt barn hvor tjenestene er svært bekymret for omsorgssituasjonen?*

Spørsmål til gruppen:

- Hva er det som særpreger deres møter med barn og foreldre i disse situasjonene?
- Barn som lever med fastlåste foreldrekonflikter kan omfattes av to lover: Lov om barn og foreldre og Lov om barneverntjenester. Hva tenker dere om dette? Eventuelle erfaringer
- Spørsmål til familievernansatte: Hvilke erfaringer har dere med å melde bekymring for barn? Hva er det som utløser meldeplikten slik dere ser det? Kan dere diskutere hvilke vurderinger som ligger til grunn forut for en bekymringsmelding?

-Spørsmål til barnevernsarbeidere: Hvilke erfaringer har dere med å videreformidle/hen vise familier til familievernkontor? Kan dere si noe om hvilke vurderinger dere gjør i forkant av slike henvendelser?

-Spørsmål til begge tjenestene: Har dere tanker rundt eller innspill til hvordan familievern og barnevern ytterligere kan hjelpe barn som lever med fastlåste foreldrekonflikter som gir grunnlag for stor bekymring?

**Bilde av kortene som familieterapeutene og barnevernsarbeiderne fikk i intervjuene**

