

Article

Child Protection Victims and the “Evil Institutions”

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Abstract: The Dutch child protection system has been the target of harsh criticism in recent decades. The legitimacy of child protection services seems to have eroded. In this article, we analyze this changing legitimacy of child protection against the background of declining parental authority and in relation to the disappearance of positive pedagogical ideologies and the mainly bureaucratic response of child protection agencies. Two recent inquiries in the Netherlands on child sexual abuse within child protection-related services have emphasized the position of children as vulnerable victims of negative pedagogical practices, mirroring a general trend of “victimization”. It is concluded that reinforcement of the professional role of child protection workers may be a start towards building new trust in child protection and establishing a newfound legitimacy.

Keywords: child protection; victimhood; social policy; sexual abuse; child abuse

1. Introduction

Criticism on child protection regimes and practices [1] has increased in many Western societies in recent decades. As so often in the past, the critiques are contradictory, blaming the child protection system for having failed by not intervening (in cases of family casualties) or by intervening too much (as recently, when Dutch parents were accused of affective neglect when they did not prevent their six-year-old daughter from continuing to see a boyfriend of the same age after they played doctors and nurses). What is new in this critique is the intensity and the lack of nuance in the debate. There appears

to be no holding back in order to damage the reputation of child protection agencies and their employees, especially in the social media.

Implicit, but underlying this debate, is an ongoing discussion about the relation between the state and the family in terms of preservation of future generations. The debate is characterized by issues such as the primary and final responsibility in raising children or when state-authorized intervention in family affairs is legitimate.

The aim of the present article is to further detail this debate by focusing on the ambiguous relation between child protection services and the family. More specifically, the article will analyze the fading legitimacy of child protection services within the context of growing attention for the victimization of parents and children in care of these services.

2. Child Protection Services in the Netherlands

During the last century, the child protection system in the Netherlands has developed into an entanglement of supportive, disciplinary and repressive strategies. Ever since the Dutch Children's Acts passed into law in 1905, the dominant strategy to protect children and advance their well-being was based upon a state-limited family autonomy, in which parents had regulated freedom [2] in raising their children. Child protection services consisted of a specific pedagogical framework that contained facilities for the support of insecure parents in their pedagogical tasks and aimed at training and educating naive or unwilling parents. Prevention has been an important strategy in preparing parents for parental responsibilities and in avoiding children's potential developmental problems. Only if these "soft-disciplinary" aims failed and parents seemed to be unwilling to normalize did the possibility of state repression enforced by the family court continue to exist.

The child protection system has never been popular with the Dutch population, yet recently, the tone of the debate has become fierce, and the arguments are sometimes presented in an overdramatic manner. In this article, we will show that the fading legitimacy of the child protection system is the result of an imbalance between supportive and coercive measures, as well as of a multitude of social processes: the fading value of the family as an institution, the increasing focus on the victimization of individuals in general and of "side effects" of a lasting confidence in professional social workers and state bureaucracy. As a result, the child protection system is subjected to an ongoing lack of social legitimacy, to which it has to find new answers.

We will first describe the processes of the social legitimacy of the child protection system and of changes in the parental role, which will be briefly illustrated with two relevant cases of inquiries into sexual abuse. In the concluding sections, we will turn our attention to the underlying causes for the changes, the loss of legitimacy and the consequences for child protection services.

3. The Changing Legitimacy of Child Protection

Child protection services as a system of rescuing children from their "impotent" parents has its foundations in 19th century charity. Traditionally, philanthropic activities, such as relief for poor and sick people and for orphans and abandoned children, were the domain of the church and of bourgeois committees. In the Netherlands, in addition to municipal and subsequent state services, child protection services have been offered by two strong religious, competing segments: Protestant and Catholic. In

the context of their religious pillars, they guaranteed disciplinary and supportive services to people of their denomination only and set aside public surveillance.

Around the turn of the 20th century, and similar to other Western countries, these charity practices became embedded in legislation and administrative measures. At first, the religious institutions offered serious resistance to this transformation, but in the end, they accepted legislation and regulation in these domains. It was not the end of their philanthropic practices and of the benevolence of well-to-do bourgeoisie, but it marked the start of the legal regulation of a general child and family policy for the Dutch population. The basic structure was one of state regulation through laws, guidelines and purchasing combined with the execution and provision of services via private- or religious-based associations [3].

The Children's Acts also brought an end to the unbridled paternal power and introduced the state as a representative of children's interests. The Child Protection Council was founded in 1905 for the assessment of families who were supposed to be at risk of maltreating their children. This Council could also report families to family court, which, in turn, could decide to place families under a supervision order or, if deemed necessary, to place the children out of the care of their parents. Charity initiatives became organized in agencies for guardianship, foster care and residential child care. Residential facilities taking care of these "looked-after children" were mostly non-governmental and were either religious or charity-based. Interestingly, and like in France [4], the child protection system hardly distinguished between children at risk (neglect) and children as risk (delinquency). Both categories of children were placed under the same denominator in a wide network of relief and punishment. It was assumed that negligence and abuse would both result in juvenile delinquency [5]. Hence, in the entanglement of care and coercive practices for children and families at risk, a long enduring collaboration developed between non-governmental and governmental agencies. Already in those days, it was hard to distinguish care and support interventions *versus* repressive practices. Non-governmental religion-based parties claimed to "save" children and families from slipping further into misery by offering care and support on the basis of moral imperatives, meaning disciplining families into what they thought to be appropriate behavior, while government parties were deemed to be in charge of more repressive practices for families that constituted risk for children's well-being and society at large.

In the course of the 20th century, a vast "social" domain developed in which social workers and professionals, like psychologists and pedagogues, prepared children and parents for what, at that time, was understood to be ordinary family life [6]. These social practices were increasingly grouped under the umbrella of the state [7], and their method became ever more professionalized, while preserving strong ideological and religious moral claims of doing well in their professional identity [8]. Within this development, the repressive character of child protection faded into the background. The main aim for child and family policy remained to first prevent serious problems through early interventions. Coercion and repressive measures were seen as a last resort. The general axiom was to better bend than break.

4. The Doubts Are Increasing: The Weakening of Child Protection Services

From the beginning, the child protection system was perceived with mixed feelings by the Dutch population: on the one hand, the possibility of safeguarding children against failing parental practices was considered to be a big step forward in promoting children's well-being, healthy development and the protection of society of not well-raised children; on the other hand, child protection workers were labelled as wolves in sheep's clothing who presented themselves as helpers, but in fact, took children away from their parents [9]. Until the 1970s, the child protection regime kept a strong pro-family ideology aimed at supporting parents to bear their parental responsibilities in bringing up their children. The legitimacy of child protection interventions was based on the idea that these interventions helped to restore family life. The two-faced character of the child protection system remained though: on the one hand, the system should guarantee the safety of children, and on the other, it should protect society against children, who were presumably on a path to criminality. Saving children meant the preservation of families. Although child protection was viewed with serious suspicion, because "they" could "just" take your children away, the possibility of intervening in antisocial families was seen as rightful. It was generally accepted that child protection interventions, in families that could not live up to the standards of appropriate parenting, were in the best interest of children, as well as of society.

However, in the second half of the 20th century, criticism on child protection services became stronger, and the core of the critiques was three-fold: (1) the regime was too paternalistic, thereby child protection professionals were overruling parental authority in many respects [7]; (2) the regime was too bureaucratic, costly and inefficient, resulting in waiting lists for those children who urgently needed support [10]; and (3) the regime was morally embedded in a traditional family approach that was no longer accepted as the dominant approach. Together, these critiques resulted in a legitimacy crisis of the system around the 1980s [11].

In reaction to these critiques, the child protection system was gradually submitted to new management styles, which were supposed to pave the way towards more effective care programs that would better fit the needs of citizens [12,13]. In child protection, as in other public services, comments on professional inadequacy caused rationalization of procedures, outcome funding, benchmarking and standardization to make the implementation of child protection quantifiable [14,15]. Confidence in professional protocols and expertise was replaced by legal mandates and inspection procedures in order to prevent potentially fatal consequences [16], implicitly sending the message that child protection professionals were no longer envisioned as reliable and trustworthy agents. Moral- and ideology-based perceptions about "the good family life", which had been underlying the system since its early days, became disputed as inappropriate and disciplinary moral imperatives and were replaced by outcome measures presented as neutral, such as the number of outplacements, client satisfaction scores and budgetary control. These outcome measures lack reference to intrinsic moral pedagogical goals, which until then, had helped legitimate unpopular family interventions [17,18].

A parallel development that started in the 1990s is the slow shift towards prevention within the wider system of youth care and its services. Although child protective interventions in so-called "antisocial families" were still socially and politically approved of, the aim was geared more strongly towards the empowerment of parents and to prepare parents for their parental role in order to preserve both family life and the well-being of children [19]. The challenge was preventing children from

becoming subjected to the child protection system [20]. The shift towards a preventive approach was relatively easily accepted by the Dutch population, as the Netherlands has a long tradition of preventive care for children through extensive municipal public healthcare services that have been offered since the early 20th century [21]. Targeting physical health originally, these services were now expanded to include “light” pedagogical interventions, too. However, although seemingly empowering, the preventive services entail a controlling element, as well: these services developed gradually into a nationwide administrative system in which records and files are kept in order to keep track of the development of children throughout their lives by way of the Electronic Child Dossier [22]. Inevitably, such a system also includes risk assessments and inventories in order to correctly identify families in need of more intensive support and preparation—the “families at risk”. Consequently, the turn towards more preventive services implied a turn in focus from the so-called antisocial families (proven to be “inadequate parents”) to families presumably at risk for experiencing all sorts of problems later in life, thereby subjecting all parents to a form of scrutiny. In a sense, they were, what Furedi would call, “cultivating the vulnerability of people”, as risks may always at any time come to the surface ([23], p. 142). These forms of preventive control and potential intervention were explicitly argued to be in the best interest of the child. In practice, however, they undermine the privacy of the family and the notion of it as a safe institution, thereby undermining parental authority and legitimacy by extension, while its effectiveness in avoiding child development has not yet been proven [19]. This system means that all Dutch parents are now included in the range of risks that can endanger the healthy development of children. Families at risk can quickly turn to families as risk [24,25].

In summing up the tendencies with regard to the Dutch child protection system up to the early 21st century, we state that the system kept its characteristic mixture of governmental and non-governmental interventions, but developed into a bureaucratic system following marketized rules of performance measures. In the process, a morally-inspired debate developed on two related central dilemmas: one dilemma concerns the “best interests of the child” and whether diverse family lifestyles can contribute to this; the second dilemma refers to the privacy of the family and the state’s right to intervene. Crucial in these dilemmas is the subsidiarity principle, in which the state should intervene as little as possible in family and community life, but at the same time, should guarantee children’s safety. Paradoxically, the state could not guarantee a child protection system that operates in a non-normative and yet effective and accountable way. By implication, professionals of the state working in the child protection system work on a knife-edge; if they intervene too early, they are accused of “state intervention”; if they intervene too late, they are accused of a lack of commitment.

5. The Doubts Are Articulated: Conflict and Victimization

In the last decade of the 1990s, attitudes towards the child protection system had changed radically. In addition to the dilemmas mentioned above, parents at stake became more aware of their rights as consumers/clients of bureaucratic agencies. The struggle between the child protection system and parents confronted with out-of-home placements and supervision orders actually was the result of the introduction of the new market logic that turned upside down the previous logics of the system. It transformed professionals from workers who support and advise families into desk-workers and

administrators who have to prove their efficiency and have to account for their workload, implying more referrals to the court. It also turned clients into consumers, which inspired parents and their representatives to present themselves as victims of the professional lack of commitment and the bureaucracy of the system [26]. The Dutch government further stimulated the “consumers’ road” as antagonism to its own civil servants by offering parents a subsidized platform to express concerns about the child protection system and to articulate demands. By choosing that road, the government gave leeway to pressure groups and fellow victim groups for complaining; they received governmental subsidies, and in child protection agencies clients’, councils were installed.

The ambivalence of the Dutch child protection system can be best illustrated by parallel developments in the first decade of the 21st century. Due to the imperious course of action of the child protection services, parents of children placed in care of the Child Protection Council claimed and got a right of inspection into the inquiries about them. It was claimed and accepted that they should not be treated as second-class citizens. At the same time, the number of out-home placed children skyrocketed; probably due to risk-avoiding professional workers and child protection courts. Concurrently, following the ratification of the United Nations Convention on the Rights of the Child (UNCRC) and the critique on the Netherlands for the late implementation of this convention, attention for the legal position of minors (who, until then, enjoyed hardly any legal recognition as a party in child protection cases) was growing [27]. The children’s rights movement expanded massively, and the vulnerable position of children became a new guideline in child protection policy, which is, for instance, demonstrated in the introduction of a nationwide network of measures ranging from the prevention of child abuse to therapeutic interventions in overcoming child abuse. This network is compulsorily used by a vast range of professional organizations (childcare centers, schools, general practitioners, hospitals, fire brigades and social work agencies) in order to adequately recognize and trace signs of “possible child abuse”.

Contrasting the Dutch way of viewing children as primarily their parents’ responsibility, the position of minors has been re-defined as “citizens-in-the-making” [28,29]. As a consequence, the exclusive socializing position of parents has been further eroded: they are not only viewed upon with suspicion regarding their parental capacities, but their rights as parents are now juxtaposed against their children’s rights. Family is thus no longer an institution, but an “assemblage” of individuals. This combination of shifting positions has resulted in questioning the legitimacy of the child protection system, which according to current public opinion, makes victims out of children, as well as out of their parents. The victimization of children, and in their slipstream, parents, becomes especially salient in cases of abuse. The long-term effects of sexual abuse are generally severe, and victims with enduring difficulties have limited possibilities to pose questions or to tell their story [30,31]. Two inquiries into cases of sexual abuse have placed the attention on children as victims. The representation of child protection as a victimizing, but ineffective institution adds to previous criticism on the child protection system as ill-defined, too costly and bureaucratic, as well as too uninvolved, with an added focus on the negative effects of such policies. As we shall see in the next paragraphs, child protection agencies are portrayed as perpetrators rather than protectors of children.

6. Inquiries into Sexual Abuse and the Blaming of the Child Protection System

In 2012, a report was published of an inquiry into sexual abuse practices by priests and staff members of Catholic boarding schools [32]. The outcomes of this inquiry showed that children who grow up in an institution (of any religious denomination) are twice as likely to become a victim of sexual abuse (22%) compared to the national average. The committee, Deetman, who conducted this inquiry, estimates that in the Netherlands, between 10,000 and 20,000 children have become victims of sexual abuse within residential institutions. The abuse was most frequent between 1950 and 1975, most victims being between six and 14 years of age. There appeared to be serious shortcomings in the way the management of the institutions and the authorities dealt with these cases of abuse.

The second inquiry concerned an “investigation into possible signs of sexual abuse of minors who had been placed in institutions or foster families on the authority of the government during the period between 1945 and 2010” by the Samson Committee [33]. The committee draws a similar picture of the situation in child protection institutions. The outcomes show that children who grew up in residential facilities were victims of sexual abuse more often (143/1000) than the general population of Dutch children (74/1000). Children in residential care also had a greater chance (194/1000) of becoming victims of sexual abuse than children in foster care (55/1000). Girls are twice as likely to become victims of sexual abuse than boys, and children with an intellectual disability are expected to have a three times greater chance of being confronted with sexual abuse.

The first inquiry focused on religious boarding schools, where children were sent by the parents themselves, and the results confirm the international perception of these schools as isolated institutions, characterized by a repressive culture, which has gradually degraded into sadistic and violent practices. Repression was also present in the child protection agencies and residencies, religious based, as well as state based. Abusive practices could continue for years unnoticed; children were not taken seriously in their complaints, and practitioners were backed up by higher-ranked colleagues. A common conclusion was that children under supervision of the child protection system were not safe in residential care. Taken together with recent cases of infanticide for which child protection workers are blamed because they intervened too late, this resulted in a reconsideration of the functioning of the child protection system as such. In their propositions to tackle all forms of child abuse, the Samson Committee emphasized that the monitoring system has failed, and as a consequence, a transformation of child protection practices should not be found in new protocols, as this would only result in a further bureaucratization of child protection.

Both inquiries conclude that it is hard to “measure” the extent of sexual abuse. Yet, the outcomes that many children who were placed in residential settings were vulnerable to sexual abuse, even if the facilities were part of the child protection system, have been accepted in the Netherlands with hardly any hesitation. Both the Dutch Catholic Church and the umbrella organization of Dutch child welfare agencies (Youth Care Netherlands) admitted their wrongdoings and provided for compensation arrangements: the Catholic Church provided a compensation procedure that included mediation and indemnification, and Youth Care Netherlands publicly offered their apologies, as did the Minister of Justice in the House of Parliament. Victims of sexual abuse in child protection would be enabled to make a claim for compensation at a dedicated department of the Damage Foundation for Violent Offenses. After the Samson Committee, Youth Care Netherlands immediately founded a new

committee—the Rouvoet Commission [34]. Within a timespan of six months, this new committee advised for a new policy on the prevention of sexual abuse in child protection, which in line with the advice of the Samson Committee, tried to avoid additional bureaucracy.

Parallel to these inquiries and following from the consumers' orientation in public services, social media offered parents a platform to express their discontent with the child protection interventions. The notion of victimization and the antagonistic relation between parents and the child protection system becomes especially salient in YouTube interviews, where citizens reveal how they were hurt by the child protection system. YouTube has proven to be a new "instrument", next to earlier established client platforms and pressure groups, through which parents and children can utter their complaints and concerns. Characteristic of all of these digital narratives is the use of criminality, psychopathy and war metaphors to report their experiences with child protection, such as "They robbed me of my childhood", "Stop the insanity of child protection" and "Arjan's and Moniek's battle against child protection". Dutch-language Internet contains sites and blogs with ominous names as "the anti-child-welfare mafia". The website, *jeugdzorg darkhorse* [35], offers space to respond to a case of a Russian diplomat who was arrested because he was allegedly a potential threat to his children. The responses include claims like "When your neighbors report to the hotline for child abuse, even diplomatic immunity does not protect you against child protection, which after all is a law unto itself". The blog, *oudervreemding* [36], calls on "parents who have suffered from child protection, which is backed by family judges who pass wrongful judgments, to form a front against these crimes". When the chairman of the Amsterdam Child Care Agency, argued that negative press about child protection hinders the work of child protection workers, the spokesman of the *blog senior* [37] said: "Child protection is guilty of small-scale genocide in the Netherlands. We have reported child protection to the police. It is expected that soon criminal proceedings will be instituted against child protection, including G¹, who directs a criminal organization that commits the crime of human trafficking!" The tenor of comments on these kinds of websites is that only few of the children under custody actually are victims of parental maltreatment, but that a mere "worry about their development" is enough to be placed under custody. The war-like metaphors all refer to the position of parents and children as victims. It is noteworthy that parents dominate the conversation and that children's voices are rarely heard, if ever. The blaming campaign on social media is a demonstration of the desperate feelings of parents losing control over their own children and the declined perceived trust in their capabilities as parents. Child protection services are accused of too much interference.

By contrast, the public press focuses on the vulnerable position of children, but thereby equally undermining the legitimacy of the child protection system. They refer to the lacking or inadequate interference of child protective services, who thereby fail to protect children against abusive or neglecting parents. Although they use more subtle terms to express their concerns, the media's instant reaction after cases of infanticide is also to blame the child protection professionals for their wrongdoings. One openly wonders how family tragedies could take place while the child protection system was aware of these problematic families. It also did not help that some cases have been outlined extensively in the media, such as the case of two children who have been outplaced because

¹ The chairman of the Amsterdam Child Care Agency.

of being obese and the case of a Turkish boy being outplaced under the supervision of a careful lesbian couple.

Child protection experts also had their say. In 2011, the Investigation Council for Safety concluded on the basis of an analysis of child abuse casualties that child protection was too restrained in its practices. “They often do not dare to intervene because they let parental interests prevail over those of children. They are lacking distinct criteria to assess the risks of unsafety in domestic contexts.” A professor in forensic psychology [38] concluded: “Dutch child protection should be overhauled. Too many things go wrong, but nobody really feels responsible. Amateurism is rampant, the organizations are fragmented and introspective, and professionals have no idea of the impact of their work. Parents and children are the victims.” In 2013, the Dutch Children Ombudsman concluded that errors in child protection analyses and assessments are frequent. Politicians and experts agree that child protection is dysfunctional, thereby increasingly relying on the vulnerable position of children in their argument.

Taken together, the general response to private family aggression seems to be to blame public agencies. First, in reaction to children’s deaths, people blame child protection agencies rather than parents for not having prevented these casualties. They blame these agencies for not realizing their aims, even for being a risk for children rather than a rescue. The fact that the child protection system represents the power of the state contributes to feelings of victimization. Child protection agents answer these “attacks” with efforts to purge themselves of these blames and find it hard to explain that it will be impossible to prevent any new tragedies in the future [39]. They defend themselves by pointing to the soundness with which they have followed procedures. As pointed out by Parton, uncertainty and ambiguity are the domain of social work [7]. Moreover, the uncertainty about how much freedom families can be given is at the basis of the child protection system. The idea of regulated parental freedom means that the child protection policy is to honor parental freedom and to only intervene as the last resort. This includes the risk of too late of an intervention.

Second, and with the upmost respect to the seriousness of child abuse, individual misbehavior by child protection professionals in residential settings is translated into the misbehavior of a system. Rather than charging individuals with criminal acts and practices, child protection services as a system came under attack.

In both approaches, the debate has moved away from how to deal with the tension between parental freedom and rights and children’s well-being and rights, on the one hand, and state power represented by the child protection workers, on the other hand. The management of the risk of violence against children predominates the agenda, while efforts to come to an understanding of how to achieve committed and supportive professional support for unwilling and violent families is lacking. The implementation of professional accounting systems and outcome evaluations have substituted moral professional criteria regarding children’s well-being, and their future development hinders the child protection system from offering any other response.

Recent developments in child protection can be seen in light of parents and children as victims of a not well-functioning child protection system that is unable to do what it is meant for: protecting children against violent parents, but only if it is really needed, in which case, they should be able to safeguard the “looked-after” children. Recently introduced measures are: obligatory professional registration of child protection workers, certification of child protection programs and of child protection agencies, new screening strategies based on scientific knowledge and a database of evidence-based

interventions, legal changes to strengthen the position of victims, new screening methods in child protection job interviews and the introduction of new protocols for child protection agencies [34].

The current child protection system had to be evaluated based on its efforts to care for children whose parents were unable to adequately care for them. After these inquiries, the services were also judged on the quality of care they offered and its “iatrogenic” effects. Child protection was not just a bureaucratic system, it also turned out to be a dangerous system for children, in some occasions, even worse than their families. Professional expertise was apparently insufficient to prevent sexual abuse of children consigned to the care of these experts, who were not able to help the victims either. The assumption that governmental or voluntary religious care for children outranked parental care was thus “under attack”. As a result, the delicate balance between institutional, voluntary and governmental and parental responsibility for children’s well-being became antagonistic rather than cooperative. The veiled conception that child protective services were an aggressor against parents and their children was now stressed, with the notion of victimization and clients’ demands at the heart of this debate.

7. Victimized Child Protection

In recent decades, the ambiguous opinion towards child protection as a necessary, but sometimes malfunctioning, institution has been transformed into an attitude of child protection as a doubtful system. In public inquiries, in the press, as well as in private blogs of child protection clients, the weak spots of the child protection system are overrepresented as if it is a horrifying, victim-producing machinery. There are several reasons for that change.

Firstly, child protection agents present themselves as the advocates of children’s rights and children’s interests rather than as guardians of families, like they did in the past. The family is no longer perceived as the uncontested sphere to socialize children [19]; this questions parental legitimacy, which is hard to accept for parents. The social norm of individual responsibility has not only resulted in more attention towards children’s rights, but has also changed the relationship between social service providers and their clients. Individualization has put clients’ personal choices high on the agenda. Yet, child protection is also a forensic social service representing the power of the state, which may end in coercive intervention. Such interventions are hard to accept now that there is so much emphasis on self-determination, choice and self-responsibility, concepts that have transformed citizens into consumers of public services. The declining legitimacy of parental authority has intensified the rage of parents. More often than before, they carry the matter to an extreme, triggered by the child protection system’s predominantly bureaucratic answers to their questions. When family matters get out of hand, parents blame the child protection professional rather than themselves [39]. These blames are mainly founded on a retrospective reconstruction of the fatal course of events, with the child protection worker being accused of not having followed the procedures rightfully. This reinforces the emphasis on procedures in public judgments (see also the third reason below).

Secondly, the attention for the victims of child protection has emphasized the negative effects of child protection interventions without paying much attention to their supportive elements. This attention for victims is part of a more general consideration for victimhood, especially in criminal justice. Boutellier relates this to the fragmentation of great ideological frames (both religious and non-religious worldviews) into private perspectives and lifestyles in the late 20th century. In the

disenchanted Western world, there is a negative rather than a positive reference to the content of “the good life”, in which morality is defined in terms of what we do not want. Everyone can have his own God, as long as this does not justify or propagate violence against others [40]. The moral claims of the great ideological frames have lost their universal nature, and the only belief that is left is the understanding that we, as human beings, are vulnerable. Morality in that sense is “victimized”. The absence of strong and positive ideological frames (which may include ideas like “the family is the socializing unit par excellence” or “the state behaves in the best interest of the child”) tips the scale of the legitimacy of child protection interventions to their disadvantage. For want of a positive underpinning of child protection services, negative critiques are decisive.

Lastly, the ongoing bureaucratic and introspective procedures of child protection have reinforced families’ experience and public opinion’s conviction that the child protection system operates in a Kafkaesque manner: the number of professionals has increased, and professionals can be trained in a wide variety of disciplines (psychology, pedagogy, social work, judicial, healthcare). This has resulted in separated professional responsibilities and a lack of coordination, thereby sending clients from pillar to post. It has become more important to do things well (procedure) than to do the good things (content). This critique is part of a more general attack on public services, which have evolved from supportive services based on social work ideals of solidarity and doing well, into bureaucratic agencies run by managerial principles of regulation, pragmatism and objectivism. In an attempt to organize a child protection system by balanced procedures and rules, things have been overrun by new performance principles. These regulations often break the child protection agents’ spirit: they often “serve in an organization without much serving it” [41].

8. Conclusions

Child protection has become the object of permanent public criticism. We gave several reasons. First, after secularization, positive, shared pedagogical goals faded. However ambiguously the child protection system may have been received in the past, it was always inspired by a strong moral imperative of doing well for children, while respecting the family as the ultimate unit of socialization, unless the limitations of the family’s capacities were proven. That moral imperative has shattered into fragments. Next to that, the child protection system itself failed to guarantee the safety of the children under their surveillance. In reaction, child protection professionals operate according to their private moral perspectives, but even more strongly, according to risk models and calculation schedules, which seems to have adopted a “permanent institutional form” [42]. Second, and as a consequence, child protection professionals increasingly use a defensive policy that is aimed at preventing any accusation of neglect or error. This means that the professionals’ decisions are backed up with procedures, such as safety clauses, against blame or even legal action. The result is a continuous effort to come to a clear-cut perspective on the future of clients (children and their families) where there is no place for ambiguity and uncertainty as central characteristics of human life [43]. The goal of child protection services seems to be the prevention of victimhood for both parties involved. Lastly and paradoxically, the cooperative balance between child protection agencies and families has become antagonistic, fuelled by the loss of the legitimacy of both child protection services and parents themselves.

To blame the child protection system for not having been able to protect children against their parents' aggression is too simple a reaction. Fatal family tragedies have a structural component and cannot be reduced to zero, not even in democratic countries that highly value children's rights and have well-developed systems of child protection [10]. The freedom of parents to raise their children according to their own beliefs and insights is considered and has to be considered an essential right. The major role of the youth care system, of which child protection is a major part, is to prepare and help parents to raise their children well. This is both a way to advance the welfare of families and children and a strategy to decrease the risk of casualties. This means that the state should only intervene in worst-case scenarios. When the child protection workers intervene too early, this is immediately considered as a state intervention in the private domain of well-meaning parents [44,45]. Yet, if the state responds too late, it is blamed for malfunctioning. Child protection professionals walk a tightrope: they have to give parents a maximum chance to bring up their children themselves and according to their own perspectives and should thus exercise restraint; yet, if parents are given the benefit of the doubt, this may result in fatal parental behavior. This is an ambiguous assignment without any guarantees that nothing will happen to anybody.

However, not all is lost. The Samson Committee ([33], p. 124) advised changing the child protection system without ending up in a new "tick-off culture" in which protocols have a value of their own. A major recommendation is professionalization: although a vast majority of child protection professionals are employed through child care organizations, only a few are affiliated with a professional association [46]. Hence, they have neither the obligation nor the opportunity to engage in training programs and other means of professionalization. The Dutch child protection system now legally requires professionals to be registered and requires agencies to appoint a behavioral scientist. To keep their registration, professionals are required to take additional training, which might be a strong incentive to increase professional awareness. It may also result in new efforts to look for a more positive interpretation of child protection work, focusing more on possibilities rather than risks, more on changes rather than inabilities and on conversations for taking action rather than placing blame [47]. Recently, strategies of motivational interviewing have been introduced in child protection practices, which encourages professionals to focus on clients' positive capacities [48].

This reminds us of Durkheim's analysis of the dual relationship between the state and the individual, the state being both liberator of the individual and a strong force. Intermediary groups, like professional associations, are needed to morally counterbalance the state. They can only do so on the basis of professional ethics that demand strong professional coherence: "professional ethics will be the more developed, and more advanced in their operation, the greater the stability and the better the organization of the professional groups themselves" ([49], p. 8). A professional association according to the great sociologist can and should function as an intermediary between the state and the individual. If so, revitalization of professionalism in child protection may result in new moral foundations for this work.

The usefulness and existence of such a "professionalized morality" also comes forth in Stanford's analysis of child protection workers' interpretations of risk [50]. Her study shows that these workers ascribed a moral status to both clients and practitioners who are a risk or are at risk. This is not a necessarily conservative position, because the tensions between the various risk identities enable the practitioners to take a moral stand. As Stanford shows, child protection workers often take a stand for

their clients rather than take the “safest” option ([50], p. 215). Risk is shown to be a moral construct. Although it may seem that practitioners start from a personal sense of responsibility and compassion, these perspectives are indeed professionally trained moral anchors that belong to social work.

Child protection laws were introduced and agencies were founded in order to do well for families and children. In public opinion, little seems left of that. The press enlarges the negative practices of child protection. Little attention is paid to how professionals succeed in creating, together with parents and children of different cultural backgrounds and in various relation arrangements, safe and favorable developmental conditions for children. Child protection is chiefly regarded as an evil institution that has become entangled in its own procedures. There is no easy way out, because emotions run high when children and parents are involved. Polarization between the vulnerability of children, on the one hand, and a poorly performing child protection system, on the other, does not do any of the parties involved any good, though. A deep distrust of child protection endangers the legitimacy of child protection agencies, which is a serious threat to what they are supposed to do—to prevent child abuse and other harms on the basis of professional expertise and responsibility and, especially, to support parents and children in living a good life. It will be a future task for child protection agencies to make their positive efforts more visible for the public and to demonstrate how they manage to help parents and children to create socially responsible pedagogical practices, while respecting their “freedom of pedagogical enterprise” [4].

Author Contributions

The first author provided a first draft of the text, the second and third authors added new parts of the text. The final versions were shared enterprises.

Conflicts of Interest

The authors declare no conflict of interest.

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