

research article

The practice of zero tolerance: emergency placement by child welfare services in Norway

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The article discusses the emergency placement of children by the Norwegian Child Welfare Services. Nine mothers were interviewed about their experiences of the transfer of care of their children. Several of the mothers had their children removed due to an emergency decision. The article focuses on one of these stories and analyses the way in which emergency placement can be seen as a form of communication and practice. The purpose of this article is to generate knowledge about how the concept of 'zero tolerance' is used to legitimise emergency placements and how this practice might cause more harm than benefits for individual children. The article's analytical perspective is grounded in the systems theory of Niklas Luhmann.

Key words emergency placement • child welfare services • zero tolerance • violence •
Niklas Luhmann • systems theory

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Introduction

This article is written on the basis of interviews with mothers who have lost the care of one or more of their children due to action taken by the Norwegian Child Welfare Services (CWS). In several interviews, the mothers describe how their child was removed without prior notice because of an emergency decision. The practice was created in accordance with, and justified through the concept of, 'zero tolerance of violence'. The point of departure for the article is one of these stories, as told by one of the informant mothers. The story is intended as an illustration of the way in which zero tolerance of violence might cause more harm and challenges than support for individual children and their families.

According to Sections 4–6 of the Law on Child Welfare Services 1992 and 2021, the administrative leader of the CWS or the prosecuting authority can, without parental consent, make temporary decisions about placing a child outside the home if the child is deemed at risk of enduring significant harm if left in the home. In such cases, the child is transferred to a foster home or an institution. A report from the Norwegian Board of Health Supervision ([Helsetilsynet, 2019](#)) particularly criticises the CWS for its lack of

collaboration with the children and their parents in the case of emergency placements. In particular, it points to the absence of consideration of how to minimise emotional damage in the case of emergency placement. The same is true in CWS assessments of whether less invasive action could have mitigated the situation (Storhaug et al, 2020). A study by Storhaug and Kojan (2017) similarly describes a lack of collaboration with parents before, during and following an emergency placement. In the event of an emergency placement, the child and parents are often not given the chance to make a statement (Oppedal, 2008; Stang, 2018), and the speed with which these decisions happen also heightens the risk of erroneous judgement (Gambrill and Shlonsky, 2000; Helm, 2011; Munro, 2012; Starcke and Brand, 2012; Stang, 2018; Storhaug et al, 2020). The decision is not made on the basis of a formal investigation; instead, the investigation begins only once the placement has been made, which might cause subsequent requests for information from the parents to be met with mistrust (Aarset and Bredal, 2018).

Several people have noted the correlation between an increase in the number of emergency decisions (Skivenes and Søvig, 2016; Aarset and Bredal, 2018), an increase in cases involving violence (Bufdir, 2014; Berg et al, 2017; Aarset and Bredal, 2018) and what is referred to as 'zero tolerance' in practice (Hauge, 2012; Sommerfeldt et al, 2014; Aarset and Bredal, 2018). Aarset and Bredal (2018) describe two different approaches to cases that involve violence: action taken is based on the principle that 'violence is violence', which is the basic tenet of zero tolerance; or it takes a more nuanced approach, with a greater degree of investigation into the facts of the case. A concern has been that the nuanced approach can be perceived, and can function, as a way to minimise the seriousness of violence (Aarset and Bredal, 2018).

Aarset and Bredal describe the process of emergency placement in cases when the CWS has had no prior contact with the family. In such cases, emergency placement is often initiated as a result of a child relating incidents of violence to someone at school or day care, and then confirming the incidents with the CWS or in an interview at a child advocacy centre. In such cases, the CWS will subsequently bring the parents in for separate interviews. Typically, the parents will deny the allegations of violence and will also decline any help. The child is then placed in foster care, often that same day, and the CWS files a report with the police (Aarset and Bredal, 2018). Research on emergency placement has stressed the need for a broader and more nuanced definition of violence (van der Weele et al, 2011; Sommerfeldt et al, 2014; Mossige and Stefansen, 2016), while the zero-tolerance approach finds broad support in public opinion (Aarset and Bredal, 2018).

There is only limited research on emergency placement by the CWS in Norway (Havik et al, 2012; Bufdir, 2014; Burns et al, 2016; Aarset and Bredal, 2018; Storhaug et al, 2020) and even less available research on how parents experience emergency placement (Storhaug et al, 2020; 2022). However, the published report *Whose Emergency? Emergency Work in Municipal Child Welfare Services* (Storhaug et al, 2020) provides a significant contribution to this field of knowledge. In line with previous research, the report shows that emergency placement is particularly damaging and traumatic for both the child and the parents (Baugerud and Augusti, 2016; Redd Barna, 2017; Storhaug and Kojan, 2017; Haugen et al, 2017; Storhaug et al, 2020; Slettebøe et al, 2021), and perhaps more than the placement itself, it is the 'method' that causes the greatest trauma. The fact that these placements happen without warning and without giving the child a chance to prepare for what is happening and why

it is happening creates a sense of terror. Studies show that, among other things, the child lacks information about what will happen to them next and what will happen to their parents and siblings (Haugen et al, 2017; Redd Barna, 2017; Slettebø, 2018; Slettebø et al, 2021).

Several studies describe the decision to initiate an emergency placement as the direct result of a specific incident, independent of whether or not the family has had prior contact with the CWS (Dickens, 2007; Christiansen and Anderssen, 2011; Skotte, 2016; Storhaug and Kojan, 2017; Slettebø et al, 2020). In cases where the family has had prior contact with the CWS, the reason for the emergency decision is often not entirely new, but the CWS often uses a triggering event as grounds for action. The goal is to ensure that the child has a safe place to live while allowing time and space to prepare the case for the county board (Redd Barna, 2017; Pedersen, 2016; Storhaug et al, 2018). The decision to remove a child is described as easier to make when the social worker can refer to a triggering event, such that the decision seems less dependent on individual and subjective judgement (Christiansen and Anderssen, 2011; Skotte, 2016).

In this article, we explore the practices of emergency placement of children in accordance with the CWS's mandate. The purpose is to generate knowledge about how the concept of 'zero tolerance' is used to legitimise emergency placements and how this practice might cause more harm than benefits for individual children. The question we pursue is: how is the concept of 'zero tolerance of violence' reflected in the communication and practice of the CWS's emergency placements? We use one story from Norway as an example.

Zero tolerance

The zero-tolerance approach refers to a practice of absolute and immediate action. The concept is defined in the Norwegian Academy's Dictionary as 'no tolerance, which is demonstrated in particular through immediate and consistent action taken against (even minor) crimes or transgressions', as well as 'objection to behaviour or situations that are deemed unacceptable' (Norwegian Academy Dictionary [Det Norske Akademi for Språk og Litteratur], 2021). In *Prisons of Poverty*, Loïc Wacquant (2008 [1999: 40-44]) writes about the ideology of zero tolerance and its rapid spread across the world, and how the language it uses has led to forceful action against what are considered disruptive elements in the public space, whether that be disruptive poverty or criminals. According to Wacquant, zero tolerance has served to legitimise legal and police-based interventions in the form of action taken against elements that cause discomfort in public spaces, that is, initiatives to alleviate a sense of discomfort in the public sphere. The concept is similar to what appeared to be a success story, where New York went from being the most violent city to becoming the safest city. Here, zero tolerance was spearheaded as the central weapon in a war intended to give the streets back to the city's citizens (Wacquant, 2008 [1999]).

Taking New York City as their example, other countries have followed suit. In 1998, the president of Mexico launched a plan to use the politics of zero tolerance to fight crime and introduce a broad range of initiatives described as the most far-reaching in the country's history. Moreover, a Brazilian governor similarly referenced the politics of zero tolerance in his justification of 800 new police hires in the war against crime. In response to charges that prisons were already at full capacity, the

proposed solution was to build more prisons. France, Italy and Germany have also declared their support of the zero-tolerance approach in their efforts to fight crime in their cities (Wacquant, 2008 [1999]).

Wacquant describes zero tolerance as a legitimisation of specific action, which renders the state's responsibility invisible. The state itself is not responding with heavy-handed and brutal measures to social unrest; instead, it is the politics of zero tolerance that affirms and legitimises the approach. This removes the state's responsibility, and it no longer sees itself as responsible for creating economic or social stability and safety. This responsibility is transferred on to the individual and, in particular, on to those living in poverty in struggling neighbourhoods (Wacquant, 2008 [1999]). It creates a practice that no longer needs nuance or reflection. Measured against the concept of zero tolerance, any crime is seen as something to respond to with force. As an example, the approach does not discriminate between minor traffic infractions and more serious violent crime. Moreover, it leads to the introduction of routine sentencing based on standardised responses to anything that falls within the targets of zero tolerance, which basically means the elimination of all unwanted unrest. New York City's zero-tolerance approach is held up as a universal solution to the evils of society (Wacquant, 2008 [1999]). In 2018, the US immigration authorities adopted the politics of zero tolerance, which means the criminalisation of anyone who attempts to cross the border illegally or without proper documentation. This allows the authorities to legally separate children from their parents without concern for the trauma this might cause the children (Monico et al, 2019; PHR, 2019). Several studies show how the zero-tolerance approach resulted in human rights violations and how the policy led to the prosecution and arrest of innocent people (Kandel, 2018; Byers and Schapiro, 2019; McFadden et al, 2022). Rather than protecting against crime, zero-tolerance politics resulted in mass arrests, where minor transgressions resulted in enormous repercussions for the individual. Moreover, it is pointed out that the recorded crime reduction cannot be ascribed exclusively to the zero-tolerance policy, as this trend existed before the implementation of the approach (Staples, 2012).

In Scandinavian countries, the zero-tolerance approach is often talked about in the context of a shift in attitude towards the damaging effects of violent crime. Today, zero tolerance serves as a normative baseline for how to respond to violent crime (Janson et al, 2011, cited in Sommerfeldt et al, 2014), which can also be seen in research on children's experience of violence at home (Sommerfeldt et al, 2014; Aarset and Bredal, 2018). The zero-tolerance approach to violent crime was written into law in 2010 when changes were made to section 30,3 of the Children's Act to clarify that all forms of violence against children are illegal, including in the context of child rearing (Aarset and Bredal, 2018). The prohibition against violence has changed the way the CWS operates (Sommerfeldt et al, 2014). If a reported incident involves violence, social workers now have the authority to make use of more invasive investigative strategies, which might disrupt the necessary dialogue with the family (Sommerfeldt, 2012; Sommerfeldt et al, 2014).

Method

The article takes a constructivist-scientific approach. This means that with respect to both the collection of data and the analytical process, we assume that reality cannot be perceived independently of our perception of it. We are intertwined with our object

of study in particular ways, and our understanding of reality is mediated, so that what we see depends on the way we see it (Pors and Husted, 2021). Our goal has been to explore the way in which reality is observed and appears to us as a result of these observations. This also creates an opportunity for reflection. Since this practice is not static but dependent upon specific observations, the article simultaneously provides a way to consider how an alternative practice might have emerged.

Qualitative interviews

We conducted nine interviews with parents that have had one or more children removed from their care. For some of the parents, this was a recent event, whereas others spoke about events that had happened a long time ago. The interviews were conducted without the presence of an interview guide. Instead, a single question was used to guide each interview: 'Can you tell us about your child's removal from your care the way you experienced it?' This was done to ensure that the interviews would focus on the parents' concerns and the story they wanted to tell rather than the information we as researchers wished to extract. Thus, the empirical basis of the project is what the parents perceived as important to communicate to us, and this approach was in many ways unfamiliar to us. Usually, we lean on predefined research questions covering a range of topics we want to interrogate. However, we found that this new approach created a different kind of knowledge and that it contributed to an important transfer of knowledge. It provided access to information and knowledge that we had not previously considered, and experiences that we could not have imagined asking questions about, and we were left with the sense of having been given the important task of handling the knowledge we were given. This article is an attempt to do so and an example of themes we had not previously considered.

Recruitment of interviewees

We contacted the Norwegian Organization for Child Welfare Parents (OBF) and asked them to inquire among relevant parent members. The organisation posted the invitation on its Facebook page, along with our contact information, so that interested parents could contact us directly, and the organisation's director also provided us with contact information for certain parents who had requested that they do so. We then contacted the parents and scheduled the interviews, which were all conducted in 2020.

Empirical material

As already mentioned, our empirical material consists of interviews with mothers whose child or children have been removed from the home by the CWS. However, the way in which we interpret our empirical material will always to some extent be shaped by our specific perspective. Therefore, theory and empirical reality cannot be understood independently of each other (Andersen, 2021). Instead, to quote Niels Åkerstrøm Andersen (2021: 247), our theoretical perspective and empirical reality will always constitute two sides of the same coin. The empirical material must be selected in a way that allows it to serve as empirical material for the analysis. Much empirical material is not useful, some material is discarded and other aspects are perhaps never even discovered. Not until we observe the empirical material in a particular way do

we shape and create it in a way that fits our particular theoretical perspective and analytical strategy (Andersen, 2021). The empirical material creates the boundaries for what our theoretical perspective allows us to observe. Not everything can be observed. However, the empirical material does not define what we see. What we see is a result of a specific analytical strategy, and the same can be said about our theoretical perspective. The theory frames and creates boundaries for the formation of the empirical material, but it does not define the empirical material. The empirical material that is chosen is precisely a result of a specific analytical strategy (Pors and Husted, 2021).

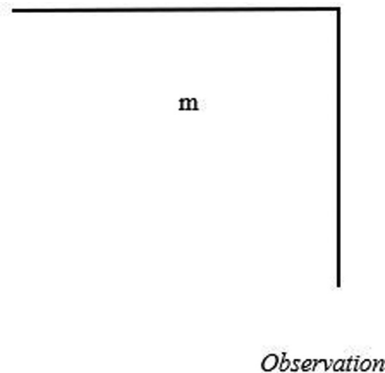
For the purposes of this article, we have chosen a single case for our analysis. It is an example of the practice of emergency placement. We might have chosen a different case for our analysis. Yet, we have not chosen this case at random. The case we have chosen is representative of the other cases that make up the empirical material and is similar to other stories of emergency placements described in the research (Sommerfeldt et al, 2014; Aarset and Bredal, 2018). It is an example of what we might refer to as a typical approach and has general relevance, not as representative of all emergency placements but because of the questions it raises (Stake, 1982; Ruddin, 2006). It points to general and typical aspects of emergency placements (Flyvbjerg, 2006). We are interested in the questions raised by the case rather than the case itself. The possibility of generalising on the basis of the case thus depends more on the validity of the analysis than on the example's level of representativeness (Mitchell, 1983).

Analytical strategy

In terms of its analytical strategy, the article is indebted to Niklas Luhmann and his concept of observation. Luhmann defines observation as an operation, which creates a distinction by marking one side of the difference while leaving the other side unmarked. The inside of the distinction serves as the observation's central focus, whereas the outside of the distinction is that which it is seen as different from. It can be marked or unmarked (Luhmann, 1995; 2002).

Observations provide us with access to the world. However, observation is defined not by the world or by 'what is' but by the observer. In order to obtain knowledge about 'what is', one has to define the observer and the way the observer observes.

Figure 1: Analysis strategy



Our analytical strategy can thus be described as second-order observations (Luhmann, 2002; Aamodt, 2019; Andersen 2021). We observe a mother's observation of her three children's emergency placement. The mother's first-order observation is an expression of how the world *is*, ontologically, whereas second-order observations seek to understand the underlying conditions for the first-order observations (Pors and Husted, 2021: 17). Rather than asking whether the emergency placement is made on the correct basis or whether the events did indeed take place the way the mother describes them, a second-order observation asks about the place from which the observation is made, the specific assumptions it relies on and the way in which specific observations play out in the narrative. In other words, second-order observation inquires not about being – what emergency placement is or should be – but about how it is constructed (Pors and Husted, 2021). Thus, we have looked at the position from which the observation is made, the assumptions it is based on and the way in which specific observations establish themselves. The question we ask is how emergency placements happen as a result of specific observations.

Specifically, we have read the case with the following analytical questions in mind:

- What are the conditions and assumptions that undergird the observations?
- How do they construct a particular understanding of emergency placements?
- What is the position from which the observations are communicated?

Ethical considerations

We have followed existing research ethical guidelines for the use of data and have obtained approval from Norwegian Centre for Research Data (NSD). We have met existing requirements about the gathering, use and storage of data. Participation in the study is based on informed and voluntary consent. We have protected the anonymity of all participants and present all our results on the level of the group so that no individuals can be identified. All participants were told that they could withdraw their consent at any point if they changed their minds about their participation.

The case of Lisa, mother of Carl, Camilla and Charlotte

In the following, we include an excerpt from an interview with Lisa, a mother whose three children were placed in foster care because of allegations of violence in the home. After almost two years, all three children were returned to their parents:

‘Hmm, where should I begin. My name is Lisa; I am a child welfare mom and yeah ... I have a lot to tell you guys. It's about three children who went through emergency placement in 2020. They were six, eight and nine years old. They were picked up from school and taken to a different town and interviewed at the Children's House. And based on their statements in these interviews, a decision was made to go ahead with emergency placement. The two older kids, the girls, were placed together in a foster home in one municipality, and my son was placed in a foster home in a different municipality.

There had been two reports filed with CWS on the basis of some statements my girls had made. I don't know how much you know about children as relatives, but my husband had been seriously ill for a while and increasingly so towards the end. And this had affected our family for a long time. I asked the school nurse to talk to the children because they were so upset, and I told her that I am not able to handle this situation on my own, and then one of the reports is filed by the school nurse. And two months go by from when they receive the report until they bring the children to the Children's House. And there hasn't been much investigated. When I think back ... there's a lot to criticise, but I am thinking about what could have been done differently. The kids have not handled it well. It has been horrible for the kids. And I think that a lot of that could have been avoided if everything had been done in a way that protected the children more. Yes, I wish that CWS would have conducted an investigation; I feel like they ought to have done that....

I am just thinking how you can see something that isn't there. And the fact that they [CWS staff] have become so fixated on me and my husband that they have forgotten ... have lost eye contact with the kids and their needs. And my young son, who's only six years old and who, if not on a daily, then at least on a weekly, basis, would come sleep in his parents' bed because he was scared of being alone, he can't find us, and he's even placed in a different municipality all by himself.... When the teacher found out what was going on, she asked to be included in the interview. So wonderful. So, she ended up being a part of it, and she told her version of the situation. Same thing with the teacher who was with our son, and then also, of all things, the school nurse with the other sister. They explain that at the beginning of the school day, all three kids were in their classrooms, and then they were going to the school nurse to 'talk'. The school nurse then tells them that they are going to [a different municipality] because someone there really wanted to talk to them about how things are going at home. And then my girls said that, 'We want to talk to the school nurse, why do I need to go to a different municipality to talk?'

But in the end, they got the kids to go – two of them in one car and the other in a second car. And as far as I understand, these were undercover police officers in undercover police cars; I am not sure, but that is my understanding. One of the girls was very quiet and shut down during the car ride; the other sister, who was with her brother in the other car ... they were playing clapping games the way we often do on car rides. And then they arrived at the Children's House – I am putting this together from what the children have said and what the people accompanying them have said – they arrive at the Children's House, the children are each asked to stay in a room, and then the appointed guardian arrives. I assume it was him since the kids talked about 'Uncle Y'. He talked to each of them alone and told them that they were going to have to talk to some people and that it was the police, and that they were trying to find out what was going on at home

and that it was completely safe to say bad things about their mom. I don't think those were his words, but this is how the kids remember it.

Then we get to something that I find completely horrible. They are sent in for a medical examination, they undress all the way down to their underwear, they check their hair, look into their mouths, they have to straddle, they are examined while completely naked. They are photographed from the front and from the back holding up their hair in a specific way... And then they are sent in to be interviewed. When the interview is over, they are told that they won't be going back home. And the teachers say that they had already left the Children's House before the kids were informed about this. Only the school nurse was still there because she could be present and transport the kids to the foster homes that they were being sent to. And the CWS staff describes the children's reaction by saying, "Yes, they cry a bit, but they quickly calm down", whereas the children tell me that the boy's cries were so loud that they thought the windows were going to shatter. The girls were allowed to accompany him to the foster home where he would be staying, and then they were taken to another municipality. Did I even answer the questions you asked?

Discoveries and analysis

In accordance with our analytical strategy, we have focused on the assumptions communicated in the interview, the way in which the observations construct a particular understanding of emergency placement and the position from which the observations are communicated (Pors and Husted, 2021)

Concern for the child

Lisa's narrative continually expresses concern for the children. She talks about not only how she herself consider their needs but also how she expects this concern to take precedence for the CWS and others who are with the children following their emergency placement. She is looking for an explanation as to why the CWS does not seem to perceive the children's needs: "And the fact that they [CWS staff] have become so fixated on me and my husband that they have forgotten ... have lost eye contact with the kids and their needs." She assumes that the CWS, like her, works to ensure the children's well-being above anything else and that something must have happened to blind them to the children's needs.

Her narrative continually returns to her son's needs. She describes how he used to come into the parents' bed and that he sometimes felt scared about being alone. She considers the fact that he is placed alone, without his siblings, in a strange home as more than what he could handle, saying: "The kids have not handled it well. It has been horrible for the kids."

She also describes how her son cried so loud that the girls thought he would shatter the windows and how the girls had to accompany him to his foster home. She stresses the importance not only of the fact that the girls got to be with him but also of his need to have someone with him at the Children's House.

It was important for Lisa that the teacher had insisted on accompanying the son to his interview because she felt that he needed to have someone there who was known to him. Moreover, in her description of the medical exam, she once again stresses the children’s perspective, saying:

‘Then we get to something that I find completely horrible. They are sent in for a medical examination, they undress all the way down to their underwear, they check their hair, look into their mouths, they have to straddle, they are examined while completely naked. They are photographed from the front and from the back holding up their hair in a specific way.’

Lisa consistently articulates concern for the children and expects the CWS to act in accordance with a similar concern. In terms of analytical strategy, Figure 2 shows Lisa’s observation.

Lisa sees her children’s emergency placement as created by a perspective that does not consider the child’s needs. Instead, concern for the child has been placed on the outside of the distinction.

Insufficient preparation and information

Lisa’s narrative constructs a specific understanding of emergency placement. It seems as if she understands that the children need to be placed in foster care. It might also be that she is operating within a discourse where it appears natural for action to be taken when there is an allegation of violence. In any case, rather than posing the question of whether the children should be placed in foster care, Lisa’s narrative questions the process by which it happens: “And I think that a lot of that could have been avoided if everything had been done in a way that protected the children more.” Lisa speaks to the fact that the CWS could have acted with more care and asks what might have been done differently: “When I think back ... there’s a lot to criticise, but I am thinking about what could have been done differently.”

She wishes that the CWS had sought out more knowledge, information and documentation before initiating the emergency placement of her children: “I wish that CWS would have conducted an investigation; I feel like they ought to have done that.” Lisa might be suggesting that if the CWS had obtained more information, they might not have considered it necessary to remove the children. She articulates what other parents have also expressed: that the case has not been sufficiently investigated

Figure 2: Lisa's observation

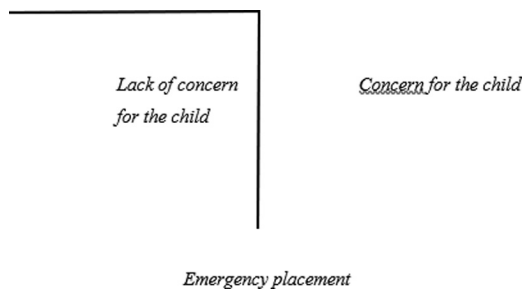
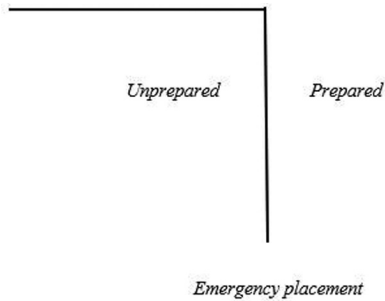


Figure 3: Lisa's observation



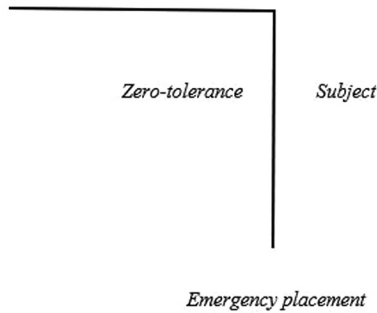
and that the basis for the emergency placement is either lacking information or having incorrect information, and that additional information might have rendered the action unnecessary (Aarset and Bredal, 2018).

In this case, as has also been observed in previous research (Storhaug et al, 2020), it takes a long time from when the allegation of violence is made for the CWS to contact the children. However, as soon as they contact the children, the placement happens very quickly. The mother reports that the allegation made by the school nurse was filed two months earlier but that the emergency placement took place on the day the CWS interviewed them. In this way, Lisa's narrative is similar to cases reported in previous research. The placement happens quickly, the child is not given a chance to say 'goodbye' to the parents and the CWS struggles to carry out the placements in a way that feels safe for the children (Aarset and Bredal, 2018; Storhaug et al, 2020). Lisa's observation can be illustrated as in Figure 3.

A narrative without subjects

Lisa's narrative leaves an impression. It is not difficult to imagine a mother's alarm in her description of how terrifying the experience must have been for her children, and her narrative might be a particular cause for reflection because it is a story in which she, as a mother, is left on the sidelines. She had no control or influence over what happened. She is not a participant in the story she tells. The only time she appears with any agency in the story is when she says: "I asked the school nurse to talk to the children because they were so upset, and I told her that I am not able to handle this situation on my own". The rest of the narrative is told from an outsider's perspective. She describes the way in which her children are transported in undercover police cars, the way they were interviewed, their medical exams and their placement in foster homes. It happened to her children but without her being there to help them. She articulates her sense of powerlessness, a sense of helplessness in a situation in which she had no influence, control or definitional power. Lisa's narrative is similar to several of the other stories told by mothers in our study. These stories all describe the events as something that 'happens to them' rather than something that they are a part of. Existing research similarly describes the lack of parental involvement as a particularly unsettling aspect of emergency placements (Aarset and Bredal, 2018; Slettebø et al, 2020).

The children are also described as bystanders with no influence on the events. They are given information and instructions, but they are not described as having

Figure 4: The communication of zero tolerance

any recourse to influence what is happening. Lisa notes that the children had tried to protest: her daughter asked why they had to travel to a different municipality to talk, and the son had cried. It is difficult to know whether the CWS asked the children for their opinion, but the narrative suggests that the children's objections were not taken into consideration. Elsewhere in the research, the CWS is criticised for not including the child's opinion or, by contrast, for uncritically including the child's opinion without providing or considering any context for that opinion (Aarseth and Bredal, 2018).

Moreover, the narrative does not describe CWS staff as significant actors; they too do not appear in the story as active subjects. The only exception is the teacher who insisted on accompanying the son to the interview because he understood what was happening. The communication of zero tolerance places the subject on the outside. This can be illustrated as in Figure 4, in which zero tolerance is at the centre of the observation, whereas its subjects reside on the outside of the distinction.

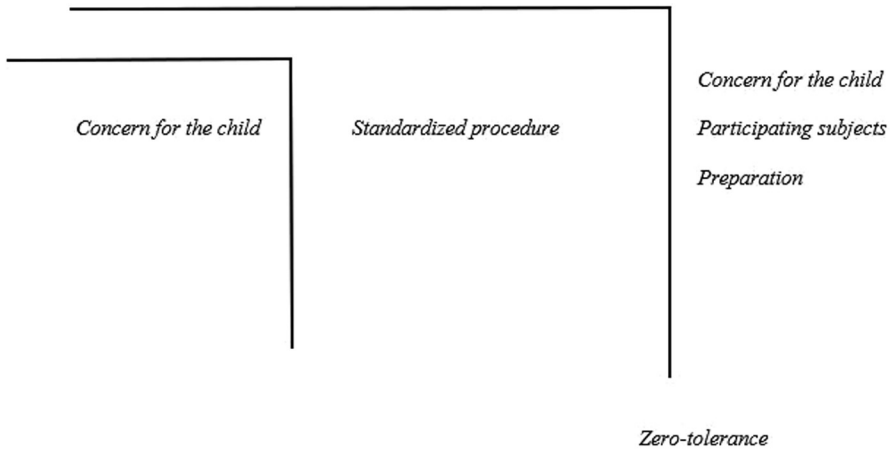
Zero tolerance as communication and practice

The practice of zero tolerance appears powerful, decisive and with the capacity to act. We might even refer to it as 'unbending'. In cases of suspected violence, the CWS is required to proceed according to prescribed procedures. This procedure allows for children to be picked up from day care or school without prior warning. The child needs to be interviewed alone and before parents are notified. If the child confirms the allegations of violence, they are to be transported to the Children's House for further interrogation. If the child repeats the story there, the CWS is instructed to place the child in foster care. For children who live in rural districts and who must travel significant distances to get to the Children's House, the trip sometimes involves staying over at a hotel, both before and after the interview.

The practice is standardised and without need for reflection. In accordance with the law, the CWS must obtain proof, documentation and verifiability, and this process is seen as straightforward and routine. The practice of zero tolerance is not a story about dilemmas. This perspective can be illustrated as in Figure 5.

If we look at the right side of Figure 5, we see that concern for the child, participating subjects and information that might affect the decision have been placed on the outside of the distinction, whereas the inside of the distinction marks the standardised procedure established by the practice of zero tolerance. The standardised procedure

Figure 5: The observation of zero tolerance



subsequently serves as the medium for any concern for the child and comes to define its potential realisation.

Zero tolerance does not produce dilemmas, and as a practice, it does not seek out professional judgement and concrete findings. Instead, reflection, uncertainty and judgement have been placed *outside* the communication of zero tolerance. Zero tolerance creates a practice that has no need for nuances, which means that its communication and practice appear not only certain and unwavering but also uncomplicated. It is a practice that allows staff to know how to act irrespective of specific subjects. The subject has been placed outside. According to Wacquant (2008 [1999]), the rhetoric of zero tolerance legitimises the concrete practice, which creates a practice where no one can be held accountable.

The zero-tolerance practice communicates the idea that, as a society, we do not tolerate violence against children. In that way, the policies of zero tolerance are based on concern for the child. Emergency placement is considered a necessary tool in the effort to keep children safe, and zero tolerance serves as a forceful expression of our values. Due to that, the practice does not ask questions about what ‘concern for the child’ really means – that is a given. This means that concern for the child is placed both inside and outside the communication of zero tolerance. Concern for the child becomes the basis and objective of the communication, whereas the specific content of the concern is considered irrelevant. The normative basis of zero tolerance (Janson et al, 2011), like the apparent success of the New York story, is a self-evident practice.

In the communication of zero tolerance, the views of neither the child, the parents or the social workers are considered relevant. In that way, zero tolerance creates communication without subjects, with no room for individuals. Child, parents and CWS staff are all placed on the communication’s outside, and the question is whether this does not create a similar displacement of responsibility in our example of the logic of zero tolerance as the one Wacquant points to in his analysis of New York’s ‘success’ story. When no one can be held accountable, the only place to look to is the initial reason for the action, which means the statements made by the child. Thus, the politics of zero tolerance is founded not only in concern for the child but also in concern because of the child, and this seems perhaps like an overly weighty responsibility for a child to have to carry.

The consequences of the child's statements are far-reaching, in the sense that they contribute to the creation of a practice without reflection or thought. Individual statements initiate a domino effect that leaves no possibility for thought or pause. When a child's statements are considered without any context in a system where no one can be held accountable, the risk of violence trumps everything else. It forces aside all other concerns, even the overall concern for the child.

Concluding remarks

The practice of zero tolerance is not a practice of self-reflection. There is no attention given to the content, importance and effects of zero tolerance. This makes it difficult to measure the effects of it on children and parents. The goal of the practice seems to be to signal a value: 'We have zero tolerance for anything that might harm a child'. The rhetoric of zero tolerance speaks to the risk of not acting more than it focuses on providing needed help. From the perspective of zero tolerance, what caused someone to hit a child is irrelevant. The only relevant question is the fact that someone hit a child.

CWS parents often do not have strong social networks, suffer worse health outcomes, have lower levels of education, experience financial instability and are from low-income backgrounds (see, for example, [Andenæs, 2004](#); [Kojan and Storhaug, 2021](#)). Knowing this should make such conditions relevant in situations when children and their parents need help, a fact that is continually emphasised in research on child welfare ([Andenæs, 2004](#); [Kojan and Storhaug, 2021](#)). Yet, remarkably, zero-tolerance practice continues to produce contextless questions and answers. The connection between living conditions and care competence ([Dencik and Schultz Jørgensen, 1999](#)) is rendered irrelevant by the perspective of zero tolerance.

For the CWS, concern for the child serves as the legal justification of the zero-tolerance approach. The article shows how this concern creates a practice that is beyond reproach and how the zero-tolerance approach, whose obvious focus is a concern for the child, thereby ends up establishing a practice that undermines the very concern that it was established to protect.

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Conflict of interest

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