

Article

Negotiating Family Life in Foster Care: Child Welfare Managers' Constructions of Family Life and Temporality in Norway

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Abstract

Temporary foster placements and recent European Court of Human Rights (ECtHR) and Supreme Court decisions on Article 8 raise questions about how child welfare services (CWS) balance reunification goals and children's need for stability. This study examines how CWS managers conceptualise the right to family life and mobilise these constructions when negotiating temporality and contact. Drawing on a social constructivist perspective and critical discursive psychology (CDP), I analysed 19 semi-structured interviews with 15 managers from across Norway using a three-step CDP procedure. Four interpretative repertoires emerged: an expanded rights repertoire that broadens notions of family and child participation; a legal guidance repertoire that treats ECtHR and Supreme Court rulings as resources legitimising reunification; a juridical pressure repertoire describing how legal expectations constrain professional judgement and can lead to increased contact despite welfare concerns; and a temporality and stability repertoire that emphasises tensions between presumptions of temporariness and attachment-based arguments for permanence. The findings suggest that legal texts function as negotiable discursive resources that both empower and constrain practice, creating ethical and practical dilemmas for managers.

Keywords: ECtHR; child protection; child welfare; reunification; contact arrangements; children's rights; family life

1. Introduction

Foster care involves a tension between the legal temporariness of care orders and children's lived experience of family life over time. Children in foster care may maintain important relationships with their biological parents while, at the same time, living their everyday lives in foster homes, where relationships, routines, attachment, belonging, and expectations of stability may develop. These dimensions of children's lives may carry different legal, emotional, and practical meanings, and they become particularly salient when contact arrangements and reunification are assessed.

Foster children in Norway often face temporary care arrangements that challenge their right to family life. Temporary placement is implied by the Child Welfare Act, with a strong focus on reunification in custody cases. By the end of 2024, 9250 children were living in foster care (Bufdir 2025), and in 2024, 2% of foster children were reunited with their biological parents, an increase from recent years (Bufdir 2025). This figure does not imply that reunification rates should be increased as an objective in themselves (Sandberg 2020). Rather, it provides a context for considering whether reunification has remained a sufficiently individualised and systematically assessed possibility in cases where this may be compatible with the child's best interests.



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This qualitative study analyses child welfare service (CWS) managers' understanding and practices regarding the right to family life, as set out in Article 8 of the European Convention on Human Rights (ECHR). This study aims to answer the following research questions: 1. How do CWS managers conceptualise the right to family life for children in foster care? 2. How are these constructions mobilised when temporality and contact arrangements are negotiated?

In this article, the right to family life is approached both as a legal concept and as an analytical concept. As a legal concept, it is rooted in Article 8 of the ECHR and is particularly relevant to state interventions in the relationship between children and their biological parents. The article focuses on children's relationships with parents of origin and on the significance of their everyday relationships in foster homes; it does not examine adoption as a separate form of family life. As an analytical concept, it provides a means of examining the discursive repertoires through which CWS managers account for, justify, and negotiate family relationships, contact, reunification, stability, and the child's best interests in foster care.

The European Court of Human Rights (ECtHR) assesses whether states have violated the ECHR and issues rulings that set legal precedents to prevent future violations ([European Court of Human Rights 1952](#); [EMK 1950](#); [Köhler-Olsen 2019](#)). Article 8 of the ECHR protects the right to private and family life, home, and correspondence, and is a key provision in the context of child welfare. The provision sets the framework for the state's intervention in family life, and any intervention must be legal, necessary in a democratic society, and proportionate to the purpose. In CWS cases, Article 8 has particular significance for the relationship between children and their biological parents when the state intervenes through care orders, contact restrictions, and decisions concerning reunification.

In this context, the ECtHR has repeatedly emphasised that biological ties between parents and children are central and that the primary objective in CWS cases is reunification with biological parents, unless there are weighty reasons to deviate from this. This means that care orders and other measures that interfere with family life must be temporary and accompanied by measures that promote reunification. Following the ECtHR rulings, particularly in the key cases of *Strand Lobben* and *Abdi Ibrahim*, Norway has been urged to revise its CWS practices to align with these principles ([Abdi Ibrahim v. Norway 2021](#); [Köhler-Olsen 2019](#); [Sandberg 2020](#); [Strand Lobben and Others v Norway 2019](#)). These rulings emphasised that reunification with biological parents must remain a clear objective, and that custody transfers are considered temporary. Contact arrangements must therefore support the possibility of reunification.

In 2020, the Norwegian Supreme Court expanded on the implications of the ECtHR rulings by defining three key conditions under which the reunification goal may be abandoned. These apply when (1) the biological parents are deemed particularly unfit to care for the child, (2) continued efforts toward reunification would harm the child's health or development, and (3) a significant amount of time has passed since the care order, such that the child's need for stability outweighs the interest in reunification ([Norges Høyesterett 2020](#)). These conditions underscore the need for careful balancing of the child's best interests with the rights of biological parents, while also highlighting the importance of thorough and well-documented assessments in CWS cases. Building on these clarifications, the Supreme Court also addressed the role of contact assessments in CWS cases. The Court noted that previous practices, such as standardising limited contact to three to six visits per year in long-term foster care, were insufficient to meet the ECHR's standards ([Sandberg 2020](#)). These clarifications have significantly influenced the work of Norwegian CWS, requiring them to prioritise reunification efforts and carefully evaluate contact arrangements.

The temporal dimension of foster care is central to this tension. Although care orders are legally temporary, time in foster care may shape children's attachments, everyday relationships, and sense of belonging. Assessments of contact and reunification must therefore take into account both children's relationships with parents of origin and their present and future need for continuity and stability in foster care.

Family life is not used merely as a formal legal category or as a synonym for biological relatedness. It also concerns lived relationships of care, attachment, belonging, and everyday participation. Children in foster care may retain legal, emotional, identity-related, and relational ties to biological parents, while foster homes may become important settings for everyday care, stability, and belonging. Such relationships may be mutually supportive, but they may also give rise to tensions when the preservation or development of one relationship is considered to affect another.

This broader understanding is also reflected in Norwegian child welfare law and human rights practice. Legal preparatory works have deliberately avoided exhaustive definitions of concepts such as family, parent, and home, recognising that their meanings may vary and change over time (Fauske et al. 2023; Official Norwegian Report 2016). Likewise, the existence of family life under Article 8 is essentially a factual question, depending on the real existence of close personal ties. Family life may therefore involve legal, biological, and social-emotional dimensions, and close relationships between foster children and foster parents may, in certain circumstances, also be relevant to assessments under Article 8 (European Court of Human Rights 2022, p. 77; Fauske et al. 2023).

Rysst (2023) draws on the concept of kinning to highlight processes of inclusion and belonging in foster families. In foster care, such processes may be particularly fragile because placements are legally temporary and children may maintain important relationships with parents of origin. This perspective draws attention to how foster homes may become meaningful sites of inclusion and belonging over time, without implying that they replace children's families of origin. Rysst (2023) further suggests that children's understandings of foster families may be shaped by both their age at placement and the duration of the placement. In her study, prolonged stays in foster homes were associated with foster families being more readily understood as a child's primary family, whereas repeated moves and uncertainty about the future could make it difficult for children to regard a foster home as their family. This highlights how time in foster care may shape experiences of belonging, stability, and family life.

Ellingsen et al. (2017) examined social workers' perceptions of the concept of family and found that, while it is gradually expanding, it is primarily rooted in biology. Networks are considered a resource that can contribute to empowerment and stability. This suggests that the meaning of family in child welfare is neither fixed nor solely determined by legal or biological status, but may be shaped by professional, relational, and cultural understandings. The evolving understanding of family life and the role of foster parents is not unique to Norway but reflects broader cultural and systemic differences in child welfare practices. A comparative study by Huseby-Lie et al. (2025) shows how cultural perceptions of the foster parent role can influence ideas about temporality and reunification. They argue that foster parents in Japan tend to view their role as inherently temporary, aligning with a focus on eventual reunification with biological families. Conversely, Norwegian foster parents often emphasise the importance of shielding the child from disruption and fostering secure attachments, which can make foster placements appear more permanent. While this protective approach prioritises the child's emotional security, it may also hinder efforts towards reunification by reinforcing the notion of foster homes as long-term solutions. This points to the need to critically examine the core values and assumptions underpinning CWS

practices, especially regarding the balance between safeguarding children's well-being and respecting their rights to family life.

The child's best interests are a central principle in this balancing exercise. In Norway, the child's best interests are a fundamental principle in the Child Welfare Act and are also anchored in Article 3 of the United Nations Convention on the Rights of the Child. It requires that children's interests are given primary consideration in decisions affecting them, and that relevant considerations are identified, assessed, and justified in the individual case. However, the principle does not provide a fixed answer to what is in a particular child's best interests. Norwegian child welfare has been described as combining a child-centred rights orientation with a welfare-oriented emphasis on early intervention, family support, and family preservation (Pösö et al. 2014; Skivenes 2011, 2021; Skivenes and Thoburn 2016). In foster care cases, assessments may therefore involve competing considerations, including protection, participation, attachment, continuity, contact with parents of origin, reunification, and stability. Attachment theory and concerns for continuity and stability have held a prominent position in Norwegian child welfare thinking. At the same time, increased attention to children's participation, relationships with parents of origin, and the right to family life has contributed to renewed questions about how these considerations should be balanced in individual cases (Aadnanes and Syrstad 2021; Haugli and Havik 2010; Vestvik et al. 2024). In this article, the child's best interest is approached both as a legal principle and as an evaluative repertoire through which different accounts of children's needs, family relationships, and future prospects are articulated and justified.

Skaale Havnen et al. (2026) explored how CWS workers have adapted their understanding and practices in response to ECtHR rulings, particularly regarding contact arrangements. Their findings indicate a shift towards a more nuanced understanding of children's reactions to contact with their biological parents and a greater focus on balancing goals such as attachment, identity, and relationship-building in both foster and biological family contexts. While attachment theory remains relevant, Skaale Havnen et al. (2026) critique its overemphasis in Norwegian CWS practices, arguing for a more holistic perspective on children's developmental needs and family dynamics. The study also highlights the tensions CWS workers face as demands to tailor contact arrangements to the individual needs of children and their families increase. This can strengthen relationships but also create dilemmas when children resist contact or courts impose rigid expectations. Skaale Havnen et al. (2026) note that these challenges underscore the need for systematic improvements in assessing and balancing contact and reunification goals, particularly given the ECtHR's emphasis on reunification as a primary objective.

Syrstad et al. (2026) discussed how these changes in practice could both strengthen professional identity and challenge established theoretical perspectives on risk and protective factors. They also note that ECtHR rulings, alongside policy shifts towards reunification, could lead CWS professionals to feel that their expertise in safe practices and the child's best interests and prospects is threatened. NHRI (2024) prepared a supplementary report to the government's report and expressed concern that the ECtHR's rulings have been misunderstood, citing a decrease in the number of care orders and an increase in the extent of contact between children and their parents following such orders. According to the NHRI, such misunderstandings may influence how the rulings are implemented in practice. The ombudsperson (Barneombudet 2024) also raised concerns about changes to the CWS measures. From 2017–2022, care orders decreased from 926 to 548, while the scope of contact increased significantly, in line with a reduction in adoptions. Together, these developments illustrate how legal change may generate both renewed rights awareness and uncertainty concerning the practical and professional meaning of individualised assessments.

The County Governor of Trøndelag (Sørli 2023) conducted a detailed survey to evaluate CWSs' efforts toward reunification, identifying both strengths and areas for improvement. The survey achieved a 100% response rate and highlighted effective practices, such as the use of structured tools like the "Omsorgspakken" (KS Trøndelag 2025). However, the findings emphasise the need for systematic improvements to ensure consistent and thorough evaluations of the potential for reunification. While various good practices were registered, only one CWS manager documented routines for regularly assessing the reunification goal, and several services reported limited knowledge of the criteria for abandoning it. The survey also noted discrepancies between how the Child Welfare Tribunal/courts and CWSes assess contact, with an increase in contact decisions creating challenges. The reunification goal often requires extensive contact, but some services expressed the need to advocate for reduced contact in certain cases to protect the child's well-being. There were also instances in which court-ordered reunifications resulted in poor outcomes for the child, necessitating new care orders.

Skotheim et al. (2025) highlights how expectations and demands on both CWS workers and foster parents have shifted following the ECtHR rulings. According to their study, the foster care system may be at a crossroads, as foster parents have strongly reacted to these changes. Proposed solutions include greater professionalisation of the foster parent role, improved training, closer follow-up by CWS, and more comprehensive assessments of contact arrangements. These findings also highlight the importance of organisational leadership and professional guidance when legal developments are translated into local CWS practice.

Norwegian foster care has traditionally been framed as temporary, with reunification as the primary aim unless there are clear reasons to depart from it. At the same time, questions of permanence and stability remain central, as children may spend substantial periods of their childhood in foster care while the possibility of reunification remains subject to review. By 2023, half of all children in foster homes had experienced at least one move after entering foster care (Bufdir 2025). This illustrates that stability cannot be assumed simply because a child is placed in foster care, but must be considered in relation to placement continuity, everyday relationships, contact arrangements, and future plans for the child.

In January 2026, a new provision in the Child Welfare Act came into force, allowing CWS to propose permanent residence in a foster home if the child has lived there for at least two years, with the foster parents' consent. Requirements that must be fulfilled are that it must be highly likely that the child will not receive proper care from their biological parents, or that the child's attachment to their current environment is so strong that relocation could cause serious harm. Foster parents must demonstrate their suitability to care for the child effectively. Furthermore, if the child is over 12 years old, their consent to adoption is required at the time the decision is made.

Existing research, reports, and policy developments have documented the consequences of ECtHR rulings for contact arrangements, reunification efforts, foster care practice, and professional assessments. However, there remains limited in-depth understanding of how CWS managers draw on discursive repertoires to account for children's right to family life in a field shaped by legal change, competing understandings of children's needs, and uncertainty about contact, stability, and reunification.

CWS managers occupy a position where legal standards, organisational responsibilities, professional knowledge, and case-based assessments intersect. Examining their accounts enables exploration of how professional responsibility, authority, and judgement are discursively negotiated alongside evolving understandings of family life and the child's best interests. This study therefore examines the language, descriptions, rhetorical

resources, and positions through which managers make sense of these tensions, rather than treating their accounts as straightforward statements of individual opinion or professional preference.

2. Materials and Methodology

This study is based on a social constructivist framework, which argues that the social world is created through social and linguistic interactions, rather than being an objective reflection of reality (Burr 2015; Gergen 2001, 2015). Social constructivism stresses the importance of social processes, as well as historical and cultural influences, in shaping knowledge. It also points out the deep connection between knowledge and action. In this study, social constructivism serves as a lens for exploring how CWS managers interpret the term “family life” in relation to the child’s right to stability and continuity.

Within the broader scope of social constructivism, critical discursive psychology (CDP) offers a methodological approach that focuses on how language constructs meaning, how individuals position themselves and others in discourse, and how they manage ideological contradictions. In analysing how CWS managers use language to legitimise their practices, this study employs two central concepts from CDP (Wetherell 2007). The first, interpretive repertoires, refers to the flexible frameworks individuals use to construct reality, enabling context-specific actions (Wetherell and Potter 1988). The second concept, subject positions, concerns the dynamic roles individuals adopt within discourses, which influence their self-perception and understanding of the social world (Davies and Harre 1990; Wetherell 2007).

2.1. Sample and Data Collection

This study used a qualitative two-wave interview design. In 2023, I conducted 12 interviews with CWS managers from all 11 counties in Norway. In January 2025, I conducted seven additional interviews with both former and new participants. In total, 15 managers participated in 19 interviews: 12 women and three men, representing services of varying sizes, with employee numbers ranging from 3 to over 100 and populations ranging from a few thousand to over 70,000. Five services were inter-municipal, while seven were independent. All 19 interviews informed the analysis and the identification of interpretative repertoires. The quotations below are illustrative examples and do not imply that the remaining participants’ accounts were excluded from the analysis. Participant numbers are used solely to anonymise the speakers.

Participants were eligible if they were currently the senior manager of a Norwegian municipal CWS, had at least five years’ experience in the child welfare field, and had experience with care-order and contact cases. The five-year experience requirement was applied to ensure that participants had professional experience from the period before and after the ECtHR judgments against Norway. Managers who did not meet these criteria were not invited to participate.

The County Governor provided an overview and contact details, enabling the selection of a strategic sample of managers for the study. The sampling strategy aimed to achieve variation in geographical location, service size, organisational structure, and managers’ gender. This diversity offered a comprehensive perspective on how various CWS managers linked the ECtHR rulings to perceptions of family life in contact assessment practices. However, as it was a purposive sample, it lacks statistical representativeness.

Participants were contacted by phone. Of the managers approached, one was unable to participate because of time constraints. No participants withdrew after consenting to participate. The first round of interviews was conducted in May and June 2023. The second round took place in January 2025. All interviews were conducted on MS Teams, recorded, and transcribed verbatim. The interviews lasted between approximately 45 and 90 min,

with an average duration of around 60 min. Transcriptions are analysed in NVivo, version 15 (Lumivero, Denver, CO, USA).

The second interview round included four participants from the first round and three new participants. The approximately 19-month interval between the rounds reflected the study's analytical development. Analysis of the first-round interviews revealed participants' uncertainty and scepticism about the implications of increased contact, the reunification goal, and the child's need for stability following the ECtHR judgments. These issues were not initially the focus of the first interview guide. The second round was therefore designed to explore more directly how managers accounted for the temporary nature of care orders and negotiated the relationship between family life, contact, reunification, continuity, and stability in foster care. This focus was further informed by emerging research and policy discussions on the practical challenges of conducting individualised contact assessments while maintaining a conscious and justified approach to the reunification goal. The second round of interviews was conducted because of an interesting finding in round one—that several managers expressed insecurity about the consequences of increased contact between children and their parents in custody cases following the ECtHR rulings.

The interviews follow a semi-structured guide, allowing exploration of intriguing topics as they arise (Kvale and Brinkmann 2015). This allows a nuanced, in-depth understanding of experiences and considerations. The first-round interview guide included questions about how the ECtHR rulings had become known within the service, how managers assessed the need for changes in practice, how legal and professional assessments were related in contact cases, and which factors were considered relevant in contact assessments. Examples included: "How do you think legal and professional assessments are connected in questions of contact?" and "Which elements should be included in contact assessments?"

The second-round interview guide focused more explicitly on family life, foster care, stability, and temporality. Participants were asked, for example: "How do you understand the concept of family life?", "What does the right to family life mean for children in foster care, as you see it?", and "How do you balance the reunification goal with the child's need for continuity in the foster home?" Follow-up questions invited participants to reflect on whether their understandings had changed over time, how the ECtHR rulings had affected practice, and how they understood the relationship between children's family life with their parents of origin and their everyday lives in foster homes.

In the initial round of interviews with CWS managers, they expressed concerns about how the child's best interests were being safeguarded, particularly in light of increased contact requirements following ECtHR rulings. They also questioned whether assessments of the child's best interests were sufficiently concrete and adequately accounted for the long-term impacts of increased contact on the child.

2.2. Analysis

The issue of contact between children and their parents in CWS custody cases is highly complex, especially considering ECtHR rulings. CWS managers play a vital role in assessing these cases before they are brought to the Child Welfare Tribunal. Their reflections on practice demonstrate how taken-for-granted knowledge is both reproduced and challenged through discursive practices (Burr 2015; Gergen 2015; Jørgensen and Phillips 2002; Tormis et al. 2025). CDP (Tormis et al. 2025) sheds light on how CWS managers construct meaning around the terms "family life" and "children's rights", and the need for stability and continuity.

The concept of family life, in relation to the uncertainty surrounding potential future consequences of increased contact, can be shaped, legitimised, and articulated through specific interpretative repertoires. These repertoires reflect how leaders construct and

make sense of this uncertainty, including what constitutes a family, which relationships are considered legitimate and valuable, and how these considerations align with the child's specific needs.

I applied the three-step CDP analysis approach developed by [Tormis et al. \(2025\)](#). This approach involves analysing content, form, and function. In the first step, I conducted a thorough reading of all interviews to identify sections relevant to the study's aim. These sections were then organised into distinct categories through coding.

In the second step, I examined how the CWS managers described changes in their understanding of family life, reflecting on how their perspectives had evolved since they first began working in child welfare. I also explored how this understanding shaped their views on children's need for stability and continuity. Several managers expressed uncertainty about how increased contact might affect whether the child's best interests remained the primary focus. By identifying rhetorical strategies and discursive resources, I uncovered patterns in how the managers discussed family life and the implications of increased contact within the CWS context.

In the final step, I identified interpretative repertoires and subject positions based on the rhetorical strategies employed by the CWS managers, which formed the basis of the study's findings.

2.3. Ethical Considerations

Informed consent was obtained from all participants, and their anonymity was ensured by using the pronouns "she" and "her" throughout the article and by removing or altering potentially identifying details. Recruitment involved directly contacting managers to invite them to participate, which may have introduced a sense of obligation or pressure. This risk was heightened by my dual roles as a researcher and an employee at the County Governor's office. To mitigate this, I emphasised that participation was entirely voluntary and clarified that my role in the study was solely as a researcher. Participants received information about the study and provided written informed consent before the interviews. They were informed that they could decline participation or withdraw without providing a reason and without any consequences.

Power imbalances between the County Governor's office and participants, as well as my professional background, may have influenced participants' willingness to participate or the nature of their responses. For example, participants may have felt inclined to provide socially desirable answers or to withhold critical perspectives. This possibility cannot be ruled out. However, participation was not requested through supervisory or regulatory procedures, and the managers were contacted directly in their capacity as potential research participants. Of those approached, one manager declined participation because of time constraints, and no participant withdrew after providing consent. Several participants commented after the interviews that they valued the opportunity to reflect on the issues addressed in the study, as such reflection was difficult to prioritise in their everyday work. While these observations cannot establish whether power relations influenced participation or responses, they provided no indication that participants experienced involvement as compulsory.

However, my familiarity with the field may also have fostered trust and a sense of shared understanding, encouraging participants to speak openly. The interviews included both accounts that acknowledged shortcomings in earlier CWS practices and those that were critical of the practical implications of legal developments. This variation suggests that participants were able to articulate nuanced, at times critical, perspectives. To address potential biases in the analysis, I used reflective notes and sought feedback through collegial discussions to critically examine my interpretations. While efforts were made to minimise

subjectivity, I acknowledge that my subjectivity may have contributed to blind spots in interpreting the data.

3. Results

During the analysis, several interpretative repertoires were identified, reflecting how participants conceptualise children's right to family life in foster care. The findings highlight how participants navigate tensions between children's rights, parental rights, and the child's best interests, and how these considerations shape practices in contact arrangements, reunification efforts, and the evolving understanding of family life.

3.1. Interpretative Repertoire 1: Expanded Rights

Participants used this interpretative repertoire to argue for changes in their professional practices and the prioritisation of family life as part of a discursive shift towards expanded children's rights, particularly regarding children's participation and their families' roles. This interpretative repertoire is illustrated in the following exchange between participant 5 and the interviewer:

P: Although it has always been important to help children where they live, I think there is a shift in the area of services. We are not outside of it.

I: You mention it again, do you think that it has changed, especially after that in 2020–2021, that time there?

P: It has been changing a bit constantly. But I think that throughout my time working in the CWS, we have steadily gained a greater focus on involving parents. But also, a greater focus on involving children. Before, we talked to the parents, and then we handled the kids based on what they said. That is no longer the case. Now, kids are involved in everything we do. Before, there was an idea that you should protect kids. That's not how it is. It is not that thought that prevails anymore; they are important informants for their own lives. When it comes to care orders and such, one looks at parents completely differently today, I think, than 10–15 years ago. At least 15 years ago, when one thought that those who might have struggled a lot in their own care responsibilities had little to contribute further as informants. While today parents are seen as important pieces in one big picture around the child, and to a greater extent, we have the resources to follow up with parents. Something we neither had nor could prioritise before, but which is now a clear priority. That there should be resources there to support parents as well.

This excerpt highlights a shift in how children's needs and roles are understood within CWS. While Norway has long been considered a child-centred country, the participant notes that perceptions of children's need for protection have evolved, prompting changes in practice that emphasise greater involvement of children in decisions affecting their lives. The participant introduces a perceived "shift in the area of services" and places herself as part of a particular CWS in a subject position at the receiving end of this shift: "We are not outside of it". This passive subject position is reinforced when the participant shifts to passive speech: "It is not that thought that prevails anymore" and "one looks at parents completely differently today". The subject position as a passive actor in a discursive development allows the participant to justify past approaches while simultaneously acknowledging a shift in the prioritisation of children's protection needs and parents' rights to family life. In doing so, the participant frames earlier shortcomings as the result of external factors rather than professional or ethical failings, thereby implicitly defending past practices. This contrasts with the idea that the evolving view of children and parents emerged naturally or

internally within the field, as the ECtHR explicitly criticised Norwegian CWS for failing to safeguard the right to family life. By employing a repertoire of shifting perspectives on children's rights and family life, structural factors, such as resource availability, appear to cause these changes, suggesting that systemic improvements were necessary to enable a more inclusive and supportive approach.

While Participant 5 highlights the evolving role of children as active participants in CWS, Participant 1 reflects on how these changes have also reshaped the understanding of family life and the role of biological parents.

P: Families are so many things, and it . . . But there's something about that. . . who feels that they belong together.

I: Yes. Right. Do you have any thoughts on. . . Maybe a little strange, but do you have any thoughts on who or what may have influenced your understanding, or the development of your understanding?

P: Social development and discussions with my network, i.e., my family, my friends, and my own life situation, have also affected it. And I think some of the things I now know I have worked for a while; I see that the view of the family's participation in child welfare cases has also changed and developed a lot. I worked at an infant institution in the late 80s in the family department. I see that we then thought we had to safeguard these kids and save them from their parents. But now we think completely differently; How on earth can we help them [the parents] to function in any way?

While recognising the variety of the concept of family, the participant constructs a baseline, common to all families: "who feels that they belong together?" The interviewer's question about who and what may have influenced the development of this understanding prompts a narrative of professional and personal transformation. While the question opens for the participant to position herself within a discourse of change in CWS practices, she credits her evolving understanding to "social development," "discussions with [her] network," and her "own life situation", thus choosing to situate her individual development in a broader context of her professional, as well as her personal, life.

By comparing past approaches, focused on "securing these kids and saving them from their parents", with the current focus on supporting parents, the manager constructs a narrative of change that aligns with biological principles and the rights-based approach highlighted in ECtHR rulings. The appellative question "How on earth can we help them to function in any way?" shifts the view of parents from potential dangers to the safety of their children to individuals who can be supported to sustain meaningful relationships. This points to a broader shift in CWS practices, in which children's right to family life is balanced with their need for stability and safety.

3.2. Interpretative Repertoire 2: Legal Rulings as Professional Guidance

The ECtHR rulings clarified that standardised contact assessments did not adequately protect the right to family life. The participants in my study were specifically asked about their understanding of family life. An expanded understanding of family life was repeated in the interviews, as illustrated in this excerpt from the interview with participant 1:

Those who live together and who belong together in a family. And that is not necessarily the case that you have to live together. I mean, children can be sent back and forth. And I have also expanded the concept of family, I think. Friends and acquaintances are part of family life. And often they are the ones you choose yourself. That is how I understand the concept of family life.

With her statement, “I have also expanded the concept of family”, the participant positions herself as an open and reflective professional, while signalling with the cautious phrasing “I think” an awareness of the contested nature of this change. With this strategy, she emphasises her ability to adapt to changing norms and expectations while legitimising her practice. By including “friends and acquaintances” in the concept of family life, the participant challenges traditional, biologically anchored notions of family, broadening the scope of what is considered meaningful relationships for children. The acknowledgement that “children can be sent back and forth” functions as both a critique of instability in foster care and a recognition of the dual family life that children in care often experience. Family life is portrayed as evolving from a static idea to a dynamic concept. The participant’s reflections illustrate how professional discourses are shifting to accommodate a more relational and inclusive understanding of family life, aligning with the ECtHR’s emphasis on the child’s right to maintain meaningful relationships across multiple contexts.

The following excerpts illustrate how this broader conceptualisation of family life is reflected in the participants’ accounts of balancing children’s rights to family life across biological and foster family contexts. Participant 7 describes the implications in practical CWS work:

One has become more aware of it legally. It wasn’t a term we used before. It was contact with the biological family, or contact with network. I suppose the terminology has become new. We have been concerned with it, but now we more often refer to what the law says—the right to family life.

This reflection emphasises how legal clarifications in ECtHR rulings have shaped the discourse within CWS. The term “right to family life” has become a legally grounded concept and a central reference point for practice. The participant’s statement, “we more often refer to what the law says,” positions her as a professional actor who aligns her practice with legal principles, thereby legitimising her work and distancing it from earlier, less rights-focused approaches. By anchoring her practice in legal principles, the participant positions herself in compliance with international standards and constructs a professional identity rooted in accountability and adaptability.

The participant’s acknowledgement that “It wasn’t a term we used before” reflects a discursive shift where legal language now strengthens the legitimacy of CWS assessments. This also signals a form of self-criticism, recognising that earlier practices lacked an explicit focus on rights. The ECtHR’s critique has thus acted as a catalyst for change, fostering a more conscious and articulated approach to assessments of family life and contact.

An example from Participant 5 provides an example of how these changes are reflected in practice:

The way we work with it here is that children, as far as possible, should be able to grow up in their own family. Family life is primarily understood as a biological family. Over time, however, those of us working in this field adopt a slightly broader concept of family. Children who grow up in foster families also have the right to a family life in the foster home. Our aim is for them to be included as if they were part of the family, sharing the same experiences that other children have in their own families. Therefore, family life at work may be a little wider than at home.

The initial assertion that “children, as far as possible, should be able to grow up in their own family” aligns with the ECtHR rulings, which underline the child’s right to family life with their biological parents. These rulings criticised CWS for failing to adequately protect this right in contact assessments, and participant 5 emphasises how these rights have been practically reinforced following the rulings. However, this interpretation is questioned by

pointing out that “children who grow up in foster families also have the right to a family life in the foster home”, further supported by the phrase “sharing the same experiences that other children have in their own families”. Following this rhetoric, foster children should access the same relationships and experiences as children in biological families, reinforcing the legitimacy of the foster home as a complete family unit. From this argument, the participant draws the inference that “family life at work may be a little wider than at home”, which has consequences for practice in the CWS. This challenges the traditional view of the biological family as the primary context for family life and presents a more inclusive, relational perspective. A foster child not only maintains a family connection with their biological parents and siblings but also builds a family life within the foster home, extending beyond the foster parents to include foster siblings, extended family, and relationships formed in the neighbourhood, at school, and through extracurricular activities. The description of the foster home as a place where children “share the same experiences that other children have in their own families” emphasises its potential to provide stability, belonging, and identity for the child. This aligns with the Supreme Court’s clarification that reunification goals may be abandoned when a significant amount of time has passed since the care order, and the child’s need for stability outweighs the interest in reunification. In such cases, the fact that biological parents may have regained caregiving abilities does not necessarily carry decisive weight. Recognising the foster home as part of the child’s family life establishes a foundation for assessing contact and reunification goals that accounts for the child’s dual family life. This requires CWS to balance the child’s right to family life with their biological parents against their right to a stable and secure family life in the foster home. At the same time, this discursive shift may increase pressure on CWS during contact assessments, particularly to document and justify decisions to abandon reunification goals when deemed in the child’s best interests.

The dual family life that children in foster care experience requires CWS to carefully consider stability, belonging, and the child’s right to family life in both biological and foster families. Participant 4’s reflection suggests that the foster home, as part of the child’s family life, can conflict with a taken-for-granted understanding of “family life” as reserved for the relationship between children and biological parents.

I: What do you think about children’s right to family life in foster homes? We have talked a little about attachment to biological parents, but you also bring in stability in foster homes.

P: Oi! That was a very good question, because I may have hardly thought about it. Oh my god, now I was almost a little embarrassed that I hadn’t thought about it. No, true, they have got a new family, who also have the right to settle down. I haven’t actually thought about that. But it goes without saying. But that’s what we think is the new family for the kid. When I think about the right to family life, I think of the biological family and not the foster family, or whatever it may be. In many of our cases, we think about stability and a good, quality family life, even though I have not thought of it that way in the foster family. It’s a bit like kids with two homes, in a way.

In this exchange, the interviewer’s question triggers an ad hoc reflection. As reported, the participant conceived family life as something to be considered unfolding within the biological family. When asked specifically about the status of family life in the new foster family, this triggers the participant’s surprise and self-criticism; “Oh my god, now I was almost a little embarrassed that I haven’t thought about it”. This leads the participant to acknowledge the foster family as the child’s “new family,” underlining the importance of stability and quality in the foster home. As “kids with two homes”, children in foster

care are entitled to maintain ties to their biological family while developing meaningful relationships and stability in their foster homes.

Participant 6's reflection provides a broader perspective on how systemic support can be helpful in this shifting landscape:

I: Now I think these processes that have been linked to the ECtHR, new guidelines, how do you think this new approach compares to the balance between the child's right to family life with biological parents and with the foster home? Has it been communicated well? Is that understandable? Can you reflect a little on the larger trend there?

P: We have dedicated significant effort to this matter, engaging in discussions and themed it through collaboration with the County Governor. We have a CWS manager network, for instance, which has been active for many years. We meet four times annually. All these topics are challenging to explore through a single service at a time. However, discussing how we should approach it in [county], exchanging ideas on these issues, makes more sense than just reading about them. It has been invaluable. I believe the County Governor has done well in uniting us and in continuously collaborating with us on the relevant issues we face in the services. I think it requires the authorities to be good at guiding or bringing it onto the agenda. Gather the services. What does that mean for us? What do all these new legal changes mean? And if you don't have that, it will still be private practice or municipal self-practice. Then there will still be big differences. I am a bit uncertain about how well-equipped CWS is to meet this equally.

It is not an easy task for the individual CWS to put the changing understanding of the right to family life into practice. As the participant points out, achieving a unified understanding across services is essential. In this respect, the collaboration with the County Governor within a dedicated network for CWS managers is emphasised as "invaluable", both as an arena for forming shared understandings and approaches and as a safeguard against inconsistent and unequal service delivery across CWS offices. The question "What do all these new legal changes mean?" signals a need for clearer communication and guidance from higher levels of governance to close the gap between legal standards and practical implementation, and to develop systemic responsibility by collaborating with frontline services.

3.3. Interpretative Repertoire 3: Juridical Pressure

The ECtHR rulings and subsequent legal clarifications have introduced heightened expectations regarding contact arrangements, which several participants in this study described as a source of professional pressure. Participant 4's reflection illustrates how these expectations manifest in practice:

P: We can't have contact just four times a year; we have to take at least eight. It is almost impossible to get it down to six. I'm a little afraid that the pendulum has swung the other way again. I have felt this a little when discussing it with case officers and lawyers: there are some expectations here, and the norm has risen from four to eight. So, a little pressure to have more. It can be a bit difficult to determine contact. It may just be that you have to accept that you have to go to the [Child Welfare] Tribunal more often to regulate contact, at least down. We can regulate up ourselves. But perhaps we are not professionally good enough to say which contact is right? Perhaps we should have had more expertise in this area around child welfare in Norway?

I: Do you get worried that you expose children to an unreasonable burden when you feel the pressure to go for a slightly higher number than you originally imagined?

P: Yes, I do. I'm worried about that. That the kids become guinea pigs in finding this out.

The Child Welfare Tribunal is a court-like body that facilitates dialogue and makes decisions, including under the Child Welfare Act.

The participant experiences an expectation following the recent legal rulings to increase the number of visits. Importantly, this increase is not a result of more substantive assessments. Instead, it is presented as a new norm, albeit at a higher level than before. The metaphor "the pendulum has swung the other way again" suggests an imbalance, in which the focus on increasing contact may now overshadow considerations of the child's best interests. From this perspective, the current practice appears no more professionally sound than the "old" practice, which might now jeopardise the child's welfare. This possibility is introduced carefully, first by questioning the field's own professional judgement: "Perhaps we are not professionally good enough to say which amount of contact is right?". As the participant includes herself in a collective "we", she takes a subject position within the professional community of CWS workers who "Perhaps [...] should have had more expertise in this area around child welfare in Norway". As an experienced CWS worker, the participant signals a careful withdrawal from responsibility for deciding whether the new norm is "better" than the old one; it is not her responsibility to do so. Her own professional standpoint becomes clear after the interviewer's follow-up: The participant is, in fact, critical of the new expectations. The metaphor of children as "guinea pigs" conveys a profound ethical concern about the potential harm that may be caused by increased contact requirements decided according to a new norm, rather than a more thorough individual assessment.

The interpretative repertoire of legal pressure as a cause of professional ethical dilemmas is illustrated in the following example, in which Participant 2 describes how professional child welfare assessments are perceived as being set aside by legal experts who push for more extensive contact arrangements.

P: Then it was kind of decided that we should have a dialogue process [in the Tribunal]. There were two of us from the CWS who met there in the board, and we sat there all the time and felt it, it was pressing us to give. It may have been wrong, but we both felt that there was an expectation that we should give. If I remember correctly, I wonder whether there were six visits and whether we are, in a way, opening up. We felt pressured to go up to eight.

I: Have you experienced compromising on your professional assessments, and do you put this in the context of the ECtHR rulings and the trend of increased contact in the boards?

P: Yes, quite simply, I think that you are compromising on the professional assessment. In short, there were eight visits. There was one overnight stay. We had to walk away from that overnight stay after it had been completed once. And we had to have a conversation with the parents about going back to the six visits. And we had to do that pretty quickly. For a child who has many reactions after contact, when it becomes so frequent, the child does not even have time to calm down. So yes, I think that, in the way I experienced it, the ECtHR rulings were the basis for us feeling pressured to give more than we felt we could. In other words, after the Tribunal proceedings where we had that dialogue process, I said it would take a lot for me to accept a dialogue process again. Because we believed

that the children did not benefit from more contact. But we felt pressured to provide more contact. It felt like we were just going in circles. We didn't get any further until we had opened up for more.

I: Who was it that you experienced that challenged you on this issue of contact?

P: I think the whole setting in a way. In other words, both the board and the opposing party. We have both discussed it many times how we experienced being in that dialogue process. Our starting point was that we believed that the child would not tolerate any more contact. Quite simply, I think that you compromise on the professional assessment.

As experienced, the professional assessment appears under assault in the structured dialogue process, which is described not as a dialogue but as a meeting in which the two childcare workers are placed in a passive position, reduced to sitting "there all the time and felt it . . . was pressing us to give", conflicting with their professional assessment, an increased number of visits is increased from six to eight. The interviewers' next question is unrelated to this particular example. Instead, it asks for a general impression of whether the ECtHR rulings affect the extent of contact. The participant confirms this but immediately returns to the specific example. She reports on the outcome of the increased number of visits, including an overnight stay, which is perceived as a burden for the child and requires the CWS to react "pretty quickly". In this statement, the participant positions herself as an advocate for the child's best interests while emphasising how systemic pressures can lead to decisions that do not align with the child's needs. The feeling that "we just walked in circles" indicates stagnation and frustration, not only in this particular example but also in the value of structured dialogue processes: "it would take a lot for me to accept a dialogue process again". The ethical dilemmas that arise when expectations of increased contact conflict with the child's need for stability and protection position the participant as an advocate for the child's best interests, which can conflict with systemic pressures that may lead to decisions that do not align with the child's needs. The perceived pressure of a united front between biological parents and members of the board with their legal background is a threat to the CWS workers' professional integrity. With her concluding statement, "Quite simply, I think that you compromise on the professional assessment", the participant signals a sense of having to relinquish what they believe is right for the child to accommodate systemic demands.

3.4. Interpretative Repertoire 4: Temporality and Stability

Participants in this study pointed to a tension between the legal focus on reunification and the practical realities of ensuring stability and well-being for children in foster care. The relationship among temporality, stability, and the child's right to family life highlights the ethical and professional dilemmas that CWS managers face in balancing these competing demands. Participant 7 reflects on how the legal emphasis on parents' rights, following the ECtHR rulings, has influenced CWS practices and the ability to prioritise the child's best interests.

Then one says that the child's best interests should always trump everything else. But it doesn't necessarily always do. I think parental privacy may sometimes legally trump the child's best interests. Now I actually feel that we are back to what it was before. And that it is sometimes more difficult to help these children here because parents' rights are so strong. And that is probably a change after the rulings.

The perceived shift in the balance of rights, where the legal focus on parents' rights is seen as potentially undermining the child's best interests. Starting with a normative

expectation within the CWS (“the best interests of the child should always trump everything else”), the subsequent recognition that this is not always the case reveals a tension between legal mandates and professional values. The participant’s remark that “we are back to what it was before” suggests a regression in CWS practices, in which prioritising parents’ rights may impede efforts to ensure children’s stability and well-being. This positions the participant as critically aware of the systemic constraints imposed by legal rulings, while also raising ethical concerns about the impact on children.

While participant 7 highlights the systemic constraints and ethical dilemmas posed by the legal focus on parents’ rights, participant 3 shifts the emphasis to how children’s age at placement, their memories of life with parents of origin, and time in foster care may become relevant to assessments of reunification. The younger children are at placements, the more difficult it becomes with time. You may not know, have no memories or associations with your biological origin. Time probably plays a much greater role there than if a child moves out at the age of twelve and has twelve years of his or her early childhood at home with his parents. [...] There may also be an attachment in age that indicates that this is the child’s family life.

By stating that “time plays a much greater role” for younger children, the participant highlights how the child’s age at placement and the time spent with parents of origin may shape the child’s relationship to family life and reunification. In contrast to an older child who has spent many years living with their parents and may have established memories and associations with family life there, a younger child may have fewer such memories or connections at the time of placement. The participant also suggests that, as time passes in foster care, the child’s attachments and everyday sense of belonging must be considered in assessments of family life. This account highlights the importance of timely and ongoing consideration of reunification, since prolonged uncertainty may have different implications for younger and older children.

Participant 1 builds on this by emphasising the need for clear and decisive points at which the reunification goal should be abandoned.

P: There is a time for that. We must be fully transparent about its temporary nature, and then a specific moment should be established when, ‘OK, now the train is leaving,’ meaning that the station is cancelled. After that, it is to be considered final, but it must be absolutely clear. I think in a two-year perspective, it should be. Then you should also stand at the station, unless you see something.

I: Is there a point at which it is said that if you have lived in a foster home for so long, you have actualised the child’s right to family life with the foster parents?

P: Yes, but it’s hard. . . In other words, who is more right? And it has to be the child. Within two years, the connection to the foster home should be so strong that the disconnection from the biological family is underway. Not perfect. I am thinking of The object relations theory (Goldstein et al. 1980), the fact that you are able to connect with someone, has characterised my entire professional life.

With the metaphor of “the train leaving”, the participant visualises the complexities of balancing the temporary nature of foster placements with the child’s need for stability and attachment. By describing the foster placement as temporary and emphasising the need for a “specific moment” when “the station is cancelled,” the participant underscores the importance of clarity and transparency in these decisions. This metaphor also conveys the emotional and ethical weight of such transitions, framing them as definitive and irreversible steps that must be carefully considered. Extended foster placements establish new attachments and family ties, which must be recognised as part of the child’s right to family life. From the participant’s perspective, it is expected that the train for reunification

has left after two years in a foster family, when the child's attachment to the foster home should take precedence over the goal of reunification. However, the participant's hesitation, "unless you see something", reflects the inherent uncertainty and complexity of these decisions. The participant's response, "Yes, but it's hard. . . In other words, who is more right?", positions the participant as grappling with the ethical dilemma of weighing the rights of biological parents against the rights of the child. At the end of the day, by concluding that "it has to be the child", the participant asserts the primacy of the child's well-being and attachment needs, particularly in the context of long-term foster placements.

By tying the metaphor of the train leaving to the theoretical reference point in object relations theory, the participant legitimises her emphasis on the child's capacity to form meaningful relationships as a fundamental element of stability and well-being. This theoretical reference also positions the participant as a reflective and informed professional who draws on established knowledge to navigate the complexities of CWS practice. At the same time, the participant recognises the difficulty of these decisions, describing the process as "not perfect." This admission reflects the emotional and professional challenges of balancing conflicting rights and interests in child welfare.

4. Discussion

This study explores how Norwegian CWS managers conceptualise the right to family life for children in foster care, and how these constructions are mobilised when temporality and contact arrangements are negotiated. Using a critical discursive psychology lens, the analysis shows that managers draw on multiple, sometimes competing interpretative repertoires and subject positions that shape how legal rulings, professional judgment, and children's needs are articulated and prioritised in practice.

The findings also extend the conceptual framing of family life presented in the introduction. Rather than appearing as a fixed legal category or as synonymous with biological relatedness, family life was constructed through several, sometimes competing, relational and temporal understandings. Managers referred to children's relationships with parents of origin, but also to everyday care, attachment, belonging, and stability in foster homes. The findings therefore illustrate how family life in foster care may involve legal, biological, social-emotional, and lived dimensions, whose significance is negotiated differently when contact, reunification, and stability are assessed.

Four repertoires were identified. First, an expanded rights repertoire foregrounds children as active rights holders who should participate in decision-making and maintain relationships with both biological kin and foster families. Second, a repertoire of legal rulings used as professional guidance treats ECtHR and Supreme Court decisions as primary legal sources. Managers invoke these rulings to legitimise renewed emphasis on reunification and to reframe parental roles. Third, a repertoire of juridical pressure positions CWS professionals as accountable actors under scrutiny from tribunals, municipal attorneys, and opposing parties. Managers describe processes that constrain professional discretion and sometimes produce ethical strain. Fourth, a repertoire of temporality and stability foregrounds time, attachment, and the search for predictable decision points in assessments of whether reunification should remain the primary objective or whether the child's need for stability in the foster home should carry greater weight.

These repertoires illustrate how legal texts, professional perception and concerns for children's well-being are drawn upon as discursive resources in accounts of contact assessments. Importantly, the findings do not indicate that the ECtHR and Supreme Court decisions act as unambiguous drivers of practice change. Rather, those legal rulings appear to be subject to negotiation, resistance, or adjustment depending on local contexts, resource constraints, and professional interpretations. This discursive complexity helps explain

why managers report both increased use of legal rights language and simultaneous doubts about whether increased contact always serves children's best interests.

The results of this study resonate with recent empirical and policy literature. Like [Skaale Havnen et al. \(2026\)](#) and [Syrstad et al. \(2026\)](#), managers in my study describe an intensification of legal rights-based language and an increased expectation to document reunification efforts. The legal rulings, as part of the professional guidance repertoire, align with surveys conducted by [NHRI \(2024\)](#) and the [Sørli \(2023\)](#), which identified increased attention to legal standards following ECtHR rulings. At the same time, the findings indicate a more nuanced understanding by highlighting how legal demands become a discursive resource that can both empower and constrain professionals. The legal repertoire legitimises expanded contact in some accounts while generating what managers experience as juridical pressure to comply, even when this is difficult to reconcile with their professional assessments of the child's needs. This nuance is important in light of concerns that legal developments may be translated into new informal norms rather than into the individualised assessments required by the ECtHR and Norwegian law. The findings do not demonstrate that such a translation has occurred in practice. They show, however, that some managers construct increased-contact expectations in precisely these terms. This complements policy reports identifying uncertainty and variation in reunification and contact assessments across services ([NHRI 2024](#); [Sørli 2023](#)).

The findings also foreground ethical dilemmas associated with legal and policy change. Managers' accounts suggest that the challenge is not simply whether to prioritise reunification or stability, but how to justify decisions when both values may be invoked as serving the child's best interests. The legal emphasis on individualised assessments may increase rights awareness and counter earlier standardised contact practices. At the same time, participants described uncertainty about how legal judgments, policy signals, and practice guidance should be translated into decisions in individual cases. Such ambiguity may be particularly challenging where professionals consider that increased contact could place a burden on a child, while reduced contact must be carefully justified in relation to the reunification objective. These accounts illustrate that ethical strain may arise not only from disagreement about outcomes, but also from uncertainty about how competing legal, professional, and relational considerations should be weighed.

The contribution of this study is to show how these developments are not simply implemented or resisted, but discursively negotiated in managers' accounts. The same legal developments may be invoked as sources of rights awareness, professional guidance, organisational accountability, or juridical pressure. This extends previous research by showing that the implications of the ECtHR judgments are shaped not only by formal legal requirements or organisational routines, but also by the interpretative repertoires through which managers construct what counts as responsible, lawful, and child-centred practice.

This analysis also contributes to the current debate on temporality in foster care. Whereas [Huseby-Lie et al. \(2025\)](#) and [Skotheim et al. \(2025\)](#) note cultural and systemic differences in understandings of foster care, reunification, and permanence, the present findings show how temporality is discursively constructed in managers' accounts. On the one hand, time is invoked through the legal expectation that care orders are temporary and that reunification must remain under active consideration. On the other hand, time is constructed as a practical and ethical issue in assessments of children's relationships, stability, and future family life.

The temporality repertoire further shows that time is not merely an administrative feature of a care order. In managers' accounts, children's age at placement, memories and relationships with parents of origin, and time spent in foster care were invoked as relevant to how belonging, stability, and the possibility of reunification were understood. This

resonates with Rysst's (2023) discussion of how age at placement, duration of placement, and uncertainty about the future may shape children's experiences of inclusion and family belonging in foster care. Importantly, the present findings do not suggest a linear replacement of relationships with parents of origin by foster family relationships. Rather, they show how managers negotiate the significance of multiple relationships when considering the child's present and future family life.

The statutory duty to work towards reunification following a care order is not new. However, the introduction of Child Welfare Act § 5–12, concerning proposals for permanent residence in foster homes, represents a relevant contextual development. The provision entered into force after the interviews and therefore did not shape participants' accounts directly. Nevertheless, it illustrates an ongoing legal and policy debate concerning permanence, stability, and children's long-term family lives in foster care. It may also affect how CWS managers document attachment, argue for stability, and relate permanence considerations to the reunification objective.

The findings have implications for policy and practice. Legal clarification alone is unlikely to ensure consistent and individualised contact and reunification assessments. CWS managers and practitioners need opportunities to discuss how legal standards apply to complex cases involving children's relationships with parents of origin and their everyday lives in foster homes. Guidance should avoid being interpreted as a numerical expectation for contact and should instead support transparent consideration of children's relationships, reactions, developmental needs, stability, and future possibilities for reunification. Organisational arenas such as manager networks, supervision, and interdisciplinary case discussions may be important for reducing local variation and supporting accountable professional judgement.

Overall, the findings show how legal imperatives, professional judgement, and children's relational lives are negotiated through competing repertoires rather than resolved through a single professional or legal logic.

Strengths and Weaknesses of the Study

By applying critical discursive psychology, the study contributes theoretically in three ways. First, it demonstrates how legal rulings function as intertextual resources. It shows how authoritative texts are cited, reworked, and contested within professional language. This shows the rhetorical role of legal texts in constructing professional accountability and shaping what counts as a justifiable assessment. Second, the analysis foregrounds subject positioning when managers adopt positions as defenders of children's welfare, as agents constrained by law, or as pragmatic actors seeking systemic guidance. These positions structure what they can credibly claim in encounters with tribunals and parents. Third, the study illuminates how competing repertoires produce practical dilemmas where rights language and reunification imperatives sometimes collide with stability-centred arguments, creating ethical tensions that are discursively managed yet remain unresolved in practice.

Several methodological points warrant attention. First, the study draws on interviews with CWS managers only. Their discourse reflects an administrative and managerial perspective that may differ from those of frontline workers, foster parents, biological parents, tribunal members, or children themselves. Future research should investigate these perspectives to assess how discursive constructions translate into decisions and outcomes. Second, the analysis is historically situated. Discursive repertoires may shift as statutory practice and training evolve. Longitudinal research could examine how such repertoires develop as legal reforms, guidance, and organisational practices are implemented over time. Future studies could also combine interviews with analysis of tribunal and court decisions, contact arrangements, and reunification outcomes to explore how legal and

discursive changes are reflected in decision-making and practice. Third, the CDP approach emphasises how language constructs practical realities. Findings, therefore, describe how participants make claims and produce accountability, rather than providing an objective measure of whether contact regimes succeed or fail. While the strength of a CDP approach lies in understanding meaning-making and constraints, it does not permit assessment of causal effects on child well-being.

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