

Safeguarding a Child Perspective in Asylum Reception: Dilemmas of Children's Case Workers in Sweden

LISA OTTOSSON

Nordic School of Public Health (Migration and Health Unit), Sweden
lisa.ottosson@nhv.se

MARITA EASTMOND

Nordic School of Public Health (Migration and Health Unit), and Department of Social Anthropology, School of Global Studies, University of Gothenburg, Sweden

ISABELL SCHIERENBECK

School of Global Studies, University of Gothenburg, Sweden

MS received June 2011; revised MS received January 2012

This article examines the perceptions and practices of Children's Case Workers (CCW), employed at the Swedish Migration Board to safeguard children's interests within the Swedish asylum reception system. The extensive discretionary powers that CCWs enjoy in interpreting and implementing policies are of particular significance. This qualitative study highlights the challenges experienced by CCWs at a regional branch, in their position at the intersection between conflicting policy objectives, and given the contradictions inherent in their professional role as street-level bureaucrats. It outlines the strategies employed by CCWs to manage contradiction and ambiguity, such as adapting to organizational pressures and restrictive norms, and exercising restraint in using their discretionary powers, but also finding ways of resisting when the discord between established practice and personal ethics becomes too great. These strategies shape the ways in which policy gets implemented in everyday practice. While a boost to the new image of the Migration Board as an institution promoting human rights, the CCWs find it difficult to implement children's rights in the proactive ways envisioned. As a result, in CCWs' experience, rather than being placed at the centre, children tend to be deported to the margins of daily organizational practice.

Keywords: asylum-seeking, children, child perspective, street-level bureaucracy, discretion

Introduction

In recent years, an increasing amount of European research has focused on asylum-seeking children, mostly those arriving on their own. Its findings have raised important concerns about these children's human rights, health and wellbeing (Andersson *et al.* 2005; Watters 2008). Some researchers have drawn attention to the consequences of Europe's continued restrictive control of refugee flows and to the tension underlying much European asylum policy today: that is, between a state's duty, according to the UN Convention on the Rights of the Child (CRC 1989), to consider a child's 'best interests', and the state's right to control immigration. Thus, while young asylum seekers, as children, are entitled to the rights laid down in the CRC, as asylum seekers they are subject to the regulations of migration law and policy. Reflecting this tension, the images of children, like those of asylum-seeking adults (Koser and Lutz 1997; Eastmond 2011), have tended to become polarized, depicting children as either vulnerable minors in need of protection, or untrustworthy 'others' with bogus claims (Giner 2007; Eastmond and Ascher 2011).

Given this politically charged context in which asylum-seeking children are received and their cases processed, there is a need to address how children fare in the institutional settings they encounter. This article aims to do so, focusing on the reception in Sweden of asylum-seeking children and their families. Most of the research to date, in Sweden as elsewhere, has concentrated upon the regulations and procedures of asylum, not least how the restrictive turn affects decisions concerning children (Schiratzki 2005; Nilsson 2007; Keselman 2009; Lundberg 2011). However, the circumstances of reception have been given less attention, especially their bureaucratic context. The main issues relating to children dealt with by the reception staff concern housing, daily allowances, education and healthcare.¹ Although the policies and practices of reception are seen to focus on more practical matters compared to the asylum determination process and are dealt with by a different set of staff, these issues are far from immune to the tensions relating to migration control mentioned above. For instance, growing public criticism of the costs of asylum seekers are often said to be a factor in maintaining daily allowances below the minimum level of Swedish social security (SOU 2009: 19; Andersson *et al.* 2010).

Given these concerns, it was of particular interest in this study to examine more closely a recently adopted function within the Swedish Migration Board (SMB), assigned especially to protect children's interests in matters related to their reception. In Sweden, as indicated above, these matters are the responsibility of the SMB, in contrast to many other EU Member States where components of the reception of asylum seekers are delegated to non-governmental organizations (NGOs) (European Migration Network 2006).² In 2007, the SMB agreed on a set of guidelines for the reception of asylum-seeking families with children, in order to strengthen the implementation of CRC directives (Swedish Migration Board 2007). A core feature of

the new guidelines was the introduction of special case workers, referred to as *Barnhandläggare* or Children's Case Workers (CCWs) with responsibility for children's welfare during the asylum-seeking process.³ The introduction of CCWs in 2007 was preceded by a drawn-out controversy that engaged many sectors of Swedish society and was widely publicized. It arose in response to a nation-wide epidemic of a life-threatening condition of severe devitalization among asylum-seeking children, many of them living in hiding, during a period of extremely high rejection rates (around 90 per cent) in the early 2000s (e.g. Bodegård 2005). The political conflict that ensued, underpinned by dramatic media images of children in severe states of apathy, resulted in a temporary law in 2006 through which most of these families could have their case reconsidered. Many were later granted residence on humanitarian grounds, after which most of the afflicted children began the slow process of recovery (Ascher and Gustavsson 2008). At about the same time, and perhaps as a result, the SMB and its new General Director launched a set of measures for improving the image of the Board and boosting the self-confidence of the staff, many of whom had been given a very critical press during the public controversy (Tamas 2009). Wettergren (2010: 405) reports that among the strategies adopted was a more proactive media strategy, in which the management successfully emphasized the limits of the responsibility of the SMB, given the new system of migration courts.⁴ The new strategy also involved striving to become a more service-oriented organization in dealings with its various clients. Moreover, the SMB in its visionary document for 2009–2013 took a more offensive position in envisioning itself as the guardian of human rights (Swedish Migration Board 2009). This is an important context for understanding the introduction of special case workers with responsibility for the welfare and wellbeing of asylum-seeking children.

The article begins by outlining the theoretical framework of the study as well as the methods used. It then describes the larger policy context, and the regulations relating to the duties of the CCWs as well as their more detailed job descriptions. The empirical section of the article presents and analyses the data drawn from the interviews and observations; it discusses the possibilities and constraints that the CCWs face in their work and the strategies they devise to cope with these, and considers how this may affect how policy is implemented.

Theoretical Points of Departure

Like all street-level bureaucrats (individuals employed by the state to carry out its policies by interacting with the public), in their work CCWs possess considerable power and discretion in assessing their clients' needs and making decisions regarding their care (Evans and Harris 2004). Hence, it is vital to examine the role of street-level bureaucrats and the bureaucratic processing of asylum seekers, since at this level policy is interpreted and implemented

(Zetter 1991; Graham 1999). In his study of street-level bureaucracy, Lipsky (1980) stresses the importance of the discretionary powers of these officials and argues that:

the decisions of street-level bureaucrats, the routines they establish, and the devices they invent to cope with uncertainties and work pressures, effectively become the public policies they carry out (1980: xii).

As we shall see, street-level bureaucrats are typically expected to fulfil their often conflicting tasks within a short time and with limited resources. Hence, to cope they develop a number of strategies, such as simplifications and short-cuts (Lipsky 1980). Often these strategies are beneficial for the management in terms of time and money. However, street-level bureaucrats also have several ways to show dissatisfaction with work conditions, for instance through acts of resistance, or sabotage, since managers are highly dependent upon them without being able to intervene extensively in their work (Lipsky 1980; Brehm and Gates 1997).

In a broader European perspective, the discretion of the individual street-level bureaucrat in Sweden is considerable. This is because many laws, including the Swedish Reception of Asylum Seekers and Others Act (SFS 1994: 137), are constructed as framework legislation that allows extensive scope for assessing the circumstances in each case (Hydén 2002; Schierenbeck 2003). Framework legislation at a national level relates to goals and directives for the public sector. However, it delegates power to the local municipalities and public administrations to provide additional and often more detailed local regulations and directives adjusted to the specific local context. These local directives serve as guidelines for street-level bureaucrats in their work. Their discretionary power and closer knowledge of clients allow them to make decisions that take account of the variety and complexity of individual cases for which detailed regulation is impossible. The perceptions and practices of CCWs as street-level bureaucrats would therefore seem to be key to understanding how children fare in the asylum reception process and shedding light on policy-in-the-making in the contested field of asylum reception.

Methodology

The data are drawn from semi-structured interviews and observations with all nine CCWs employed at the five reception units that make up the south-western regional branch of the SMB.⁵ This branch, which is one of six regional branches, receives roughly one fourth of all asylum seekers entering Sweden. The choice was motivated by our interest in conducting an in-depth qualitative study of the CCWs in the context of their daily work, within the organization as well as in their contacts with families and other authorities, thus seeking a more complex, contextualized understanding

rather than a generalized picture across Sweden. The study was part of a larger research programme on the reception of asylum-seeking families at this particular branch (Andersson *et al.* 2010).

The CCWs who participated in the study are all women and the majority hold a degree in preschool teaching or social work. Many have been with the SMB for years, as directors of preschool activities when these were organized within reception centres in the mid-1990s, while others have previously worked as Reception Handling Officers, or are new recruits. The CCWs at the five local units meet regularly, on their own initiative, to exchange experiences and discuss their work. Topics of concern at these meetings include how to implement the CRC in their work with families and how to stimulate interest in these issues at the Board.

In our interviews with CCWs, the overarching themes comprised how CCWs understand the needs of asylum-seeking children and interpret the best interests of the child, the ways in which they seek to translate these ideas into their practice, the exercise of discretion and the role of the CCWs in the organization. Meetings of CCWs with asylum-seeking families were observed on seven occasions, always with consent obtained from both parents and children. In most of these cases, one of the researchers was known to the families in question and a certain amount of trust was already established. In one case, the parents had particularly asked the researcher to be present as they felt nervous about their meeting with the SMB. However, the researcher was careful to remain a neutral observer and not to intervene in the meeting between the CCW and her clients. Observations were a useful complement to interviews because they sometimes highlighted disparities between ideal and practice—how the CCWs said they would like to perform and what actually happened during such meetings—thus also confirming the dilemmas they themselves brought up in our interviews with them.

In order to capture more of the context of reception and its organization, interviews were also carried out with a range of other officials engaged in the local unit, including two managers of local units, five Reception Handling Officers responsible for administering housing and daily allowances, and one official involved in the practical matters of housing.

The data collection was carried out by two of the researchers and took place at the offices of the respondents, each interview lasting for about two hours. Interviews were tape-recorded and later transcribed by the researchers themselves. In the analysis, the material was systematically coded and different categories and sub-categories were identified. The data analysis was strengthened by the close team work, involving coding and re-coding of the material as well as interpretation of the results at different stages of the work. At the final stage of the study, the findings were presented and discussed with the CCWs and our interpretations fine-tuned to further broaden our understanding and to enhance the internal validity of the study.

The presentation of the empirical data, including the quotations from interviews, contains what can be depicted as illustrative cases (Yin 1994).

The criterion for an illustrative case is that it is representative of the category it is meant to illustrate (i.e., it is one case among several other cases in the specific category). Thus, it is not the case *per se* that is the interest for the empirical analysis, but the phenomenon it illustrates.

Children's Case Workers in their Larger Policy Context

In organizing the reception of asylum-seeking children and their families, the SMB is bound by both international agreements, such as the CRC (1989), and the EU Directive laying down minimum standards for the reception of asylum seekers (Council of the European Union 2003). This directive contains several formulations intended to secure children's interests in European asylum reception. As an example, it specifically declares that the situation of vulnerable persons, such as minors, must be considered when member states implement the provisions that relate to material reception conditions and healthcare in their national legislation (Council of the European Union 2003, Article 17: 1). Also, in matters that involve children, their best interests shall be a primary consideration (Council of the European Union 2003, Article 18). The Swedish Aliens Act has a similar wording, although it also implies, especially in its preparatory works, that such considerations are subordinated to the interest of the state to regulate immigration (Regeringens prop. 1996/97: 25; SFS 2005: 716; Nilsson 2007: 75). However, these formulations are not reflected in the Swedish Reception of Asylum Seekers and Others Act (SFS 1994: 137), that constitutes the national legal framework for asylum reception in Sweden. This Act regulates forms of assistance available for asylum seekers such as housing, daily allowances, and employment, but contains little when it comes to children, and does not mention children's best interests.⁶ Other relevant documents and regulations include the Government's instructions to the Migration Board (Regleringsbrev 2011) and the Board's internal corporate plan (Swedish Migration Board 2011). The SMB's internal corporate plan specifically admonishes all of the Board's units to report on how they safeguard the rights of children in accordance with the CRC.

The work of the CCWs is more extensively shaped and detailed by the guidelines adopted by the SMB (Swedish Migration Board 2007). These guidelines stipulate that a child perspective must be considered throughout the entire asylum reception process, and constitute the CCWs' mission statement. Accordingly, every family seeking asylum in Sweden is to have its individual needs considered, and parents should be provided with support and information about how to safeguard the rights of their children during the reception period. Also, each reception unit is required to make a CCW available for every asylum-seeking family.

The job descriptions of the CCWs are based on the SMB guidelines and include overall responsibility for children's issues within the reception unit. Stated in quite general terms, and varying little between local units, these descriptions oblige CCWs to meet all families with children on arrival in

order to assess their situation and their needs. The CCWs are also responsible for registering children in school or preschool in the local community, and for supporting and advising other local professionals who come into contact with the children. Further, the CCWs are to cooperate with other staff at the SMB, not least the Reception Handling Officers who handle the financial aspects of allowances and housing. When necessary, the CCWs may convene meetings between the social services, schools and healthcare providers.

As this article will show, the CRC acts as an important point of reference for the CCWs, but does not lend itself in a straightforward way to policy implementation. For instance, the CRC lacks a precise definition of the best interests of the child, a vagueness that can imply flexibility but also arbitrary assessment and unpredictable outcomes (e.g. Alston 1994). Moreover, by stipulating in Article 3 that the best interests of the child should be a (rather than the) primary consideration in all actions regarding children, the CRC allows scope for these being weighed against other interests, such as the state's wish to regulate immigration. In addition, the CRC is not incorporated, but transformed, into Swedish national legislation. Hence, when there is a conflict between a clause in the CRC and national law the latter takes precedence (Nilsson 2007: 70). Expert opinion, including the UN Committee on the Rights of the Child (CRC/C/SWE/CO4 2009), has continuously argued that incorporating the CRC would strengthen children's rights in Sweden, as this would raise its legal status.

Schiratzki (2000), commenting on the practice of negative asylum decisions in Sweden in recent years, argues that in a legal framework, 'the best interests of the child' constitutes a so-called 'open concept' which allows each case to be assessed on its individual merits. However, recent research into such determinations demonstrates that instead, the concept tends to be interpreted in a very restricted sense relying on the preparatory works of the law (Schiratzki 2005; Nilsson 2007; Olsson 2008). Thus, despite the SMB's stress on safeguarding children's interests, the chance to make decisions that are sensitive to these children's widely varying circumstances is not usually seized upon (Schiratzki 2000; Nilsson 2007). Also, as research on asylum determinations in Sweden suggests, a host of informal considerations and criteria, internal as well as external to the bureaucratic organization, come into play in the making of such decisions on children's needs and the host country's responsibility to meet these (e.g. Keselman 2009; Nilsson 2007; Lundberg 2011).

Findings

The following major themes were identified in the data collected: how CCWs interpret their task to represent and safeguard a child perspective in the bureaucratic process; the tensions they experience in their the role as street-level bureaucrats positioned between the needs of the individual child and the organization; their position in relation to other staff at the SMB; and the strategies they devise in order to manage conflicting roles and work pressure.

Child Think: Adopting a Child Perspective

In the perception of their assignment as CCWs, our respondents take seriously their role of ensuring the best interests of each individual child given his or her particular needs. With reference to the CRC, CCWs place emphasis on the importance of ‘adopting a child perspective’ and have in fact coined their own term for this, ‘child think’ (*barntänk*). Child think refers to two ways in which CCWs may represent a child’s perspective: one constitutes ‘a child’s own perspective’, meaning the views provided by the child her/himself on a particular matter; the other refers to the CCWs’ own understandings of how a child (a particular child or any child) might think and react in a given situation (cf. Halldén 2003). The former is a stricter interpretation of each child’s right to have his or her views considered as laid down in Article 12: 1 of the CRC, which emphasizes that:

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

In the latter sense of re-presenting children’s voices, child think instead refers to a more generalized child perspective based on the CCW’s accumulated experience of asylum-seeking children. The respondents used the specific and the generalized senses of child think interchangeably during the interviews, even though they recognized their different meanings when asked to elaborate upon the term. However, the two approaches presuppose one another, as the CCWs themselves point out below.

When respondents were asked how they understand and apply child think in their daily practice, they stressed that it is fundamental to their work to listen to children in order to gain insight into their individual situations and understand each child’s perspective. Taking children’s own views into account was thus presented as a prerequisite to understand a child’s best interests. One of the CCWs explained:

We’ve got to talk to the children; otherwise it is only *our* perspective. To get a child perspective, to achieve child think, you need experience and you need to talk to the children.

However, if the child did not, could not or was given no opportunity to express her/his views, the CCW would rely on her own assumptions about how the child may wish to be treated. This is not necessarily unreflective but involves actively imagining the subject position of the child. As one informant expressed it:

I have worked a lot with families . . . where for instance the children don’t attend a network meeting, then I try to take the child’s role and be the person speaking for the child. And then it is the child’s perspective and it has been very effective,

really, when I have done that, trying to imagine the situation of the child... I think I have had a child perspective then.

Thus, in practice, the views of specific children are not necessarily elicited and taken into consideration when decisions are made or recommended by the CCWs; in such cases, they said, they would take a child perspective in the more generalized sense. Claims to having the necessary knowledge to generalize were made most confidently by CCWs with an extended history as officers at the SMB, based on their long experience in the reception of asylum-seeking families. Others referred to experience of children gained in previous positions as social workers or preschool teachers.

The CCWs also underlined the organizational limitations involved in eliciting such views and gaining sufficient information about each child. Because of the speed with which cases must be reviewed as well as the financial restraint expected of them as CCWs, they often interview the families only once or twice; few CCWs are able to visit families in their homes. In discussing our observation with some of the CCWs, we noted that their questions directed to children were often confined to issues such as school and friends, tending to leave little room to elicit more pressing concerns that children may have. They acknowledged this observation but explained that they had little opportunity for such probing; they were, in fact, unable to give children the attention they require because of the limited time they have for each family. They also felt that it was difficult to establish a sense of trust with a child in the context of their office. Interviews with families in a related study (Andersson *et al.* 2010) suggest that the role of the CCW tends to be perceived as ambiguous; they met her primarily in her capacity as a civil servant, even if some felt they were more at ease with her and the attention she paid to the family's situation, than with other Officers at the Board. The CCWs were aware that, for adults as well as children, they were also representatives of the SMB: persons of authority with the power to make decisions over them and upon whom they were in many respects dependent. Therefore, CCWs explained, children may also be careful not to entrust them with information that might be detrimental to the family's asylum case. In addition, the common use of interpreters can be a source of anxiety in some families and we observed on occasions that parents could be very particular about the regional or ethnic origin of the interpreter chosen.⁷

Thus, given the circumstances there were limits to the trust that the CCWs felt they were able to establish with children in order to elicit their own points of view. At the same time, in meetings we attended we observed that greater attention was often given to the parents than to the children and the point was brought up in subsequent interviews. However, the CCWs explained that they want to be courteous towards the parents and to recognize their parental authority, as well as avoid putting undue pressure on children in the unfamiliar environment.

The CCWs emphasized that it requires time to assume a child perspective and determine a child's best interests in a given situation, and that this is only possible within the framework of an ongoing relationship with the family. Most CCWs regard having the opportunity to visit families at home as invaluable, for building confidence and gaining knowledge about the family's situation. In most cases, however, this remained wishful thinking. As one CCW put it:

In the beginning I had this ambition, but I simply have no time for it... I reckon it's more relaxed if I visit the families at home, I mean this is an office where the family sort of is sitting lined up, it would be easier to establish contact [at home].

Thus, developing a more personal relationship to the children is often not possible given the work pressure. This points to a conflict for the CCWs between what it takes to really acquire a child perspective and the institutional demands for efficiency.

Between Children's Needs and Organizational Demands

The tension between the CCWs' ambition and the organizational realities creates uncertainty and also some frustration. This is a well-known dilemma for street-level bureaucrats (Brehm and Gates 1997). In our study it comes out not only as a desire for more time to devote to each case but also, paradoxically perhaps, as a request for more detailed instructions. The case workers claimed that more explicit guidelines would clarify their mandate and facilitate the implementation of a child perspective.

An illustrative example is the so called Children's Impact Analysis, an analytical tool introduced at the SMB for CCWs to assess the effects on a child before a decision is taken. Most of those interviewed were positive to this, seeing it as an instrument for safeguarding children's interests and also lending more weight to their own claims on children's behalf. However, they called for clearer instructions on how to implement it; some even argued that the failure of the SMB to provide these seriously impairs a 'child-friendly' asylum reception.

Another example concerns minor one-off payments for which families can apply for special needs. Usually they refer to the purchase of winter clothes or rainwear compulsory for school children. According to the CCWs, a lack of a clear regulation as to when such special one-off payments are warranted and who is authorized to grant them, results in differing practices at the local level and creates tension between CCWs and Handling Officers:

There are such huge differences between units within the Board, and also in between people working in the same unit; as it is now, the individual civil servant [here: Handling Officers] has too much impact due to the discretion.

Similarly, whether to grant free public transport is another area of uncertainty. Such exemptions are provided for asylum seekers placed in remote areas as long as their case is pending, and help families reach low-budget supermarkets, but are withdrawn with rejection of the asylum application and during the appeal. These restrictions on mobility also have consequences for children, as they lose access to voluntary organizations and leisure activities, the CCWs argued. It also means, one of them concluded, that asylum-seeking children are treated differently depending upon where they are housed. Even so, many felt unsure of whether they can use their discretion to grant extra money for such needs or whether these expenses should be covered by the family's daily allowance:

It is assumed that we should not pay for child activities... However, I still have allowed grants for that on occasions, if I have seen it as relevant... It is hard to know what subsidy you can grant, the starting-point is that we should be restrictive, also when it comes to winter clothes and so on...

There was a tendency among the respondents to argue that the Board's directives limit their possibilities to grant such payments. At the same time, respondents were unclear about what the directives really say, and referred simply to an 'assumption' that they are not to be 'too generous'. However, some also pointed to the benefit of being more generous as it may reduce costs for healthcare. With quite small means, CCWs said, children's wellbeing could be increased—by taking the bus to visit the city, see friends, etc. The concerns about children's health were expressed at the time of a heated public debate about severely devitalized asylum-seeking children:

I sometimes feel that not even their basic needs are provided for. For instance, do they want the children to become really ill rather than to supply them with a public transport card?

Such comments suggest that the CCWs are involved in a balancing act between the high-level commitment to children's rights, and local units where officials are expected to exercise economic restraint. When the guidelines for the reception of children and their families were adopted in 2007, no new resources were allocated for this by the Board and local units employing a CCW have to re-allocate resources within the unit (Swedish Migration Board 2007). Given such constraints, CCWs have to compete with other sections within the local reception bureaucracy and also with colleagues who may not always recognize the implications for children of decisions taken within their area, such as housing or 'organized activities'. One CCW formulated it as follows:

Housing officers, they don't think like that, they just think 'Here's a vacant spot' and then the family arrives [and find themselves in a remote area] and maybe it's a mother with three children, a bus to town once a day and no supermarket.

CCWs' Position within the Organization

The CCWs' position within the local organization was also found to make a difference to how they are able to perform. One dilemma brought up has to do with the reluctance among their co-workers at the Board to engage in children's issues. As mentioned, housing staff especially were said to 'simply place families where there is accommodation available' rather than consult the CCWs before they make their decision. Although the CCWs felt that colleagues welcomed the introduction of a child perspective at the Board, they also often found themselves in an alibi position, expected to take on this task instead of it being everyone's responsibility. This view is supported by interviews with other staff at the Board who expressed relief at having a CCW in the unit because it meant that they themselves would not have to struggle with the thorny issues involved. The CCWs explained this attitude as the result of a fear among civil servants of engaging in such a politically charged issue as asylum-seeking minors and they described a general lack of competence regarding child issues within the agency. Moreover, some respondents feared that in spite of the current focus on children within the Board, the role of the CCWs is perhaps a passing fad:

What I feel is that it comes and goes. Now they're into this, next it's something else that is important...

The CCWs claimed that their own uncertain position is underpinned by the low status of children in society in general, not only within the SMB:

Working with children is not held in such high regard [in society]. Yes, that's how I feel, working as a Children's Case Worker isn't held in such high regard. Being a Handling Officer is 'better'.

In contrast, CCWs demonstrated considerably more confidence and authority in their external relations with municipal services such as schools and social services, and spoke of their duty to enable other authorities to better fulfil their responsibilities towards asylum seekers. The CCWs maintained that other institutions have only limited knowledge about the tasks of the Migration Board during the reception period, and that they are often unclear about asylum seekers' rights and duties. As an example, CCWs said, many schools are unaccustomed to receiving asylum-seeking children and therefore in need of guidance. Research shows that teachers regard the CCWs as indispensable in safeguarding asylum-seeking children's interests, and thus confirm this picture (Svensson 2010).

Their low status notwithstanding, in their internal work at the SMB some CCWs are in a better position to make their voices heard than others. Such CCWs enjoy greater authority in setting the agenda at staff meetings and

keeping colleagues informed on matters concerning children. Encouragement from the management appears vital:

I have the support from our local manager. She has supported me from the start and emphasized the importance of my position. I have not had to fight my way through to show that I am important; instead I feel that others listen to me.

Also, the credibility and standing of the CCW among colleagues is important. For example, a CCW with many years of experience in the organization and who was previously employed as a Handling Officer will enjoy more authority than someone who is new; she is familiar with the system and appreciates the challenges faced by colleagues in other sections of the Board. However, our respondents also recognized that having worked at the SMB for many years implies a risk that the CCW will take the perspective of the organization rather than that of children. There is then a fine balance between the different perspectives that the CCWs must reconcile. In order to carry out their mandate, they must assert and defend children's interests in an organization that they feel regularly disregards minors, and yet they must be careful not to tread on colleagues' toes. Thus, while they rely on colleagues' cooperation, the CCWs also need to stand their ground when it comes to children's interests.

Managing the Paradoxes, Coping with Constraints

The CCWs sought to deal with the dilemmas in their work in different ways. One response was to creatively adapt to the restrictions they encountered to get the work done. This entails a common paradox faced by those working at lower levels of the bureaucracy, and may benefit the management: 'Lower-level participants [...] develop coping mechanisms contrary to an agency's policy but actually basic to its survival' (Lipsky 1980: 19). Street-level bureaucrats thus do large amounts of work with few resources and use their discretion to generate shortcuts to cope with their duties. Such shortcuts are also part of CCWs' practice, for instance cutting down on home visits and making fewer obligatory follow-up meetings with families than what they deem ideal; however, not without a concern that these limitations and shortcuts restrain their role as children's advocate.

In addition, the CCWs preferred to identify with their supportive role and tended to distance themselves from the controlling duties that were also part of the job, or to reframe them as providing information to clients on bureaucratic rules and procedures. According to Lipsky (1980: 73), the helping orientation of street level bureaucrats is 'incompatible with their need to judge and control clients for bureaucratic purposes'. Therefore, he argues, a certain degree of denial of controlling duties may be a functional way to maintain a professional self-concept. By the same token, the CCWs in our study also tended to de-emphasize the actual discretion they had at their disposal to act on behalf of their clients, or were uncertain of its limits.

The uncertainty may be a way of tempering tension with other staff in Reception, given the need for internal loyalty in an organization which is often exposed to severe public criticism.

However, as Brehm and Gates point out, street-level bureaucrats may also use their discretion in ways other than those beneficial to the management, for instance through acts of resistance (Brehm and Gates 1997). Indeed, such strategies were occasionally employed by the CCWs. As an example, one respondent sometimes allowed grants for child activities, although that is not established practice. This CCW was critical of the limited use of such grants and, as a result, resisted the prevailing norm at the office. Similarly, another CCW wished to encourage parents to take their children to the Open Preschool, promising them a free bus card to which they were not entitled on the condition that they go there regularly:

I find it difficult to hear parents saying they don't have the energy to care for their children. I tell them that if they just take their children to the Open Preschool, they can have a bus card (unless the school is within walking distance of course).

In another example, a CCW made an intervention in a so-called 'Dublin case',⁸ involving a mother and two children, who were faring very badly. In accordance with the Dublin Convention, the family members were to be sent back to the first country of asylum. However, the efforts of the CCW and an NGO finally resulted in the decision to have the family's case tried in Sweden and they were later granted asylum. Here, the CCW acted beyond her authority to resist a decision she perceived as morally wrong.

Conclusion

This article examines the challenges confronting Children's Case Workers at the SMB in promoting the wellbeing of children within the Swedish asylum reception system. The findings indicate that the CCWs' position is an ambiguous one, and that a number of conflicting objectives influence their practice.

A persistent dilemma for the CCWs in their daily work is the conflict between being charged with protecting children's best interests and organizational demands for efficiency. In addition, while the CCWs use the Convention on the Rights of the Child as a guide in their work, many of their colleagues within the SMB prioritize practicalities and procedural issues in their own areas of responsibility. Hence, while the individual CCW is called upon to exercise her powers of discretion, at the same time she has to be sensitive to, and cooperate with, colleagues who are working with other priorities. The relatively low status of CCWs within the SMB and their inadequate resources for meeting families' demands add to the complexity and make it difficult for the CCWs to break with established routines, even

though they have some freedom as street-level bureaucrats to do so. While part of these difficulties seems to be specific for the CCWs, certain dilemmas are actually inherent in street-level bureaucracy and must be managed by all workers who deal with clients in this context. As Lipsky notes, 'to deliver street-level policy is to embrace a contradiction' (1980: 71). On the one hand, he argues, bureaucratic practice is about human interaction and caring but on the other, it demands detachment and the delivery of equal treatment with limited resources. These conflicting goals make it impossible for the officials to satisfy everyone and they are likely to have difficulty maintaining their self-image as the advocate of their clients.

Clearly, this portrays an organizational context in which children's needs are not always prioritized. The CCWs tend to respond to these circumstances in a variety of ways, mostly by adapting to the conditions of work but also through acts of resistance and in so doing, use their discretion to protect the interests of their clients. Our results indicate that such resistance usually follows from a heightened risk of becoming alienated in their work; that is, when they perceive a clear discord between established practice and personal ethics. A more common response to conflicting principles, and perhaps a way to maintain professional self-worth, is for CCWs to distance themselves from responsibility by referring to external constraints, for instance by seeking procedural correctness and stressing the need for more detailed guidelines (cf. Wettergren 2010). Hence, there is a measure of self-imposed restraint, by de-emphasizing their controlling duties and delimiting their discretionary powers as street-level bureaucrats. Thus, this study shows that the CCWs are often reluctant to use their power to argue and act in favour of children's interests, for instance to resist restrictive practices, and may not always recognize their potential in driving policy.

Lundberg (2011), in research on street-level bureaucrats in the Swedish asylum determination process, found a similar tendency towards self-imposed restraint which she ascribes to a reluctance of officials to diverge from the collegially established interpretations of 'the best interests of the child'. Similarly, we conclude that the CCWs—forming part of the consensus culture that is characteristic of much public life in Sweden (e.g. Graham 2002; Schierenbeck 2003)—exercise restraint partly because they are hesitant to challenge the established norms prevailing at the Board. In doing so, CCWs are careful not to undermine collegiality, especially given the more positive image of the Board which Management has actively promoted in recent years, even when they feel that prioritizations are not in their favour. This reluctance has to do with the scant organizational support given to CCWs and the relatively low prestige accorded reception matters in the organization, compared to areas such as asylum determination. More to the point, perhaps, the CCWs' experience seems to point to a situation in which children's issues and, by symbolic extension, those who are set to promote them, have low status.

Although the introduction of CCWs in the Swedish asylum reception system can be seen as an attempt by the Swedish Migration Board to

allow for a child perspective and the protection of human rights in the organization without interference from economic and other considerations, the results are less encouraging. CCWs' experience suggests that in spite of its claim to place children at the centre, the Board risks deporting children's rights to the margins of daily practice.

1. The period of asylum reception formally covers the time from arrival in Sweden until a final decision on the asylum application has been made. Each family, depending on the number of adults and children, receives a daily allowance, the level of which has remained unchanged since 1994 (SOU 2009: 19). Asylum seekers who cannot or will not live in independent accommodation (with relatives or friends) are placed in government-organized housing (an apartment in a municipality chosen by the SMB). Children are entitled to daycare, schooling and healthcare in the municipality where they reside.
2. Asylum reception systems differ between EU Member States (see European Migration Network 2006). The 2003/9/EC Directive lays down minimum standards for the reception of asylum seekers in the EU, and wide discretion is therefore allowed with regard to employment, healthcare and material conditions among others.
3. However, CCWs are not involved in the reception of unaccompanied asylum-seeking children. Since 2006, this responsibility has been divided between the SMB and the municipalities. The latter sign an agreement with the SMB to receive, house and care for these minors, with financial compensation from the Government.
4. The SMB's decision can be appealed to one of the Migration Courts located at the county administrative courts in Stockholm, Malmö and Gothenburg. If the appeal is not successful the case can be taken to the Migration Court of Appeal. However, this court only reviews cases deemed to carry considerable weight and public interest, or in which a severe procedural error has been committed by the Migration Court. Note that in this new system the SMB has greater scope to re-examine its own decisions, and most of the assessment should take place at the Board (SMB homepage www.migrationsverket.se).
5. No official record of the number of CCWs employed nationally at the Migration Board is available, and no informal figure could be provided by the SMB. Although strongly recommended by the SMB Direction, CCWs are not in place in all local units.
6. However, the preparatory works of the Act stress that the Swedish asylum reception system, as far as possible, must be adapted to the needs of the individual, with special consideration of children, war disabled and others with special needs (Regeringens prop. 1993/94:94:25).
7. Keselman's recent study of interviews of children by SMB officers shows that there is always some uncertainty about the contents and completeness of the conversation, and that problems capturing precisely what children mean are inherent in these meetings (Keselman 2009).
8. The Dublin Convention determines which Member State of the European Union is responsible for examining an application for asylum. Asylum seekers must lodge their application for asylum in the first EU country in which they arrive (SMB homepage).

- ANDERSSON, H. E., ASCHER, H., BJÖRNBERG, U. and MELLANDER, L. (eds) (2005) *The Asylum-seeking Child in Europe*. Göteborg: CERGU.
- ANDERSSON, H. E., ASCHER, H. and BJÖRNBERG, U. (eds) (2010) *Mellan det förflutna och framtiden: Asylsökande barns välfärd, hälsa och välbefinnande*. (Between the past and the future: Welfare, health and well-being of asylum-seeking children.) Göteborg: CERGU.
- ASCHER, H. and GUSTAVSSON, T. (2008) 'Klargörande vetenskaplig konferens om barn med uppgivenhetssymptom' (Clarifying scientific conference on children with symptoms of devitalization). *Läkartidningen* 105(1–2): 31–33.
- BODEGÅRD, G. (2005) 'Pervasive Loss of Function Progressing to Devitalization: An Earlier Unknown Life Threatening Stress Reaction Seen in Asylum-seeking Children'. In Andersson *et al.* (eds) *The Asylum-seeking Child in Europe*. Göteborg: CERGU.
- BREHM, J. and GATES, S. (1997) *Working, Shirking, and Sabotage*. Ann Arbor: University of Michigan Press.
- CONVENTION ON THE RIGHTS OF THE CHILD (CRC) (1989) 'United Nations Doc A/Res/44/25'.
- COUNCIL OF THE EUROPEAN UNION (2003) 'Council Directive 2003/9/EC laying down minimum standards for the reception of asylum seekers'.
- CRC/C/SWE/CO4 (2009) 'Committee on the Rights of the Child: Concluding Observations', Sweden, 12 June.
- EASTMOND, M. (2011) 'Egalitarian Ambitions, Constructions of Difference: Paradoxes of Refugee Integration in Sweden'. *Journal of Ethnic and Migration Studies* 37(2): 277–295.
- EASTMOND, M. and ASCHER, H. (2011) 'In the Best Interest of the Child? The Politics of Vulnerability and Negotiations of Asylum in Sweden'. *Journal of Ethnic and Migration Studies* 37(8): 1185–1200.
- EUROPEAN MIGRATION NETWORK (2006) 'Reception Systems, their Capacities and the Social Situation of Asylum Applicants within the Reception System in the EU Member States', Synthetic report.
- EVANS, T. and HARRIS, J. (2004) 'Street-level Bureaucracy, Social Work and the (Exaggerated) Death of Discretion'. *British Journal of Social Work* 34: 871–895.
- GINER, C. (2007) 'The Politics of Asylum and Childhood in the UK'. *Children and Society* 21(4): 249–260.
- GRAHAM, M. (1999) *Classifications, Persons and Policies: Refugees and Swedish Welfare Bureaucracy*. Stockholm: Stockholm University.
- GRAHAM, M. (2002) 'Emotional Bureaucracies: Emotions, Civil Servants, and Immigrants in the Swedish Welfare State'. *Ethos* 30(3): 199–226.
- HALLDÉN, G. (2003) 'Barnperspektiv som ideologiskt eller metodologiskt begrepp' (Child perspective as ideological or methodological concept). *Pedagogisk forskning i Sverige* 8(1–2): 12–23.
- HYDÉN, H. (2002) *Rättssociologi som rättsvetenskap*. (Sociology of law as jurisprudence.) Lund: Studentlitteratur.
- KESELMAN, O. (2009) *Restricting Participation: Unaccompanied Children in Interpreter-mediated Asylum Hearings in Sweden*. Linköping: Linköping University.
- KOSER, K. and LUTZ, H. (1997) 'Introduction'. In Koser, K. and Lutz, H. (eds) *The New Migration in Europe: Social Constructions and Social Realities*. London: Macmillan.
- LIPSKY, M. (1980) *Street-level Bureaucracy: Dilemmas of the Individual in Public Services*. New York: Russell Sage Foundation.
- LUNDBERG, A. (2011) 'The Best Interest of The Child Principle in Swedish Asylum Cases: The Marginalization of Children's Rights'. *Journal of Human Rights Practice* 3(1): 49–70.
- NILSSON, E. (2007) *Barn i rättens gränsland: Om barnperspektiv vid prövning om uppehållstillstånd*. (Children in judicial borderlands: On child perspective in residence permit trials.) Uppsala: Iustus.
- OLSSON, L. (2008) *Nytt System, Gamla Brister?* (New System, Old Flaws?) Stockholm: Rädda Barnen.

- REGERINGENS PROPOSITION** (1993/94) 94 (Government bill) Mottagande av asylsökande m.m. (The reception of asylum seekers etc.)
- REGERINGENS PROPOSITION** (1996/97) 25 (Government bill) Svensk migrationspolitik i globalt perspektiv. (Swedish migration politics in global perspective.)
- REGLERINGSBREV** (2011) (The Government's instructions to the Migration Board) Ju 2011/7663/SIM.
- SCHIERENBECK, I.** (2003) *Bakom välfärdsstatens dörrar*. (Behind the doors of the welfare state.) Umeå: Boréa.
- SCHIRATZKI, J.** (2000) 'The Best Interests of the Child in the Swedish Aliens Act'. *International Journal of Law, Policy and the Family* 14(3): 206–225.
- SCHIRATZKI, J.** (2005) *Barnets bästa i ett mångkulturellt Sverige: en rättsvetenskaplig undersökning*. (The best interest of the child in a multicultural Sweden: A jurisprudential study.) Uppsala: Iustus.
- SFS** (1994) 137 (Swedish Statute Book) Lag om mottagande av asylsökande, LMA. (Swedish Reception of Asylum Seekers and Others Act.)
- SFS** (2005) 716 (Swedish Statute Book) Utlänningslag. (Swedish Aliens Act.)
- SOU** (2009) 19 (Official Reports of the Swedish Government) Aktiv väntan: asylsökande i Sverige (Active while waiting: Asylum Seeker in Sweden.)
- SVENSSON, M.** (2010) 'Barns vardagsliv under asylprocessen: en etnografisk studie' (Children's everyday life during the asylum-seeking process: an ethnographic study). In Andersson, H. E., Ascher, H. and Björnberg, U. (eds) *Mellan det förflutna och framtiden: Asylsökande barns välfärd, hälsa och välbefinnande*. (Between the past and the future: Welfare, health and well-being of asylum-seeking children.) Göteborg: CERGU.
- SWEDISH MIGRATION BOARD (Migrationsverket)** (2007) 'Beslut om riktlinjer för arbetet med mottagande av barn och deras familj för att säkerställa ett enhetligt mottagande'. (Decision on guidelines for the reception of children and their family in order to ensure a uniform reception.) Norrköping: Migrationsverket.
- SWEDISH MIGRATION BOARD (Migrationsverket)** (2009) 'Det framtida Migrationsverket. Visionsdokument 2009–2013'. (The future Migration Board: Visionary document 2009–2013.)
- SWEDISH MIGRATION BOARD (Migrationsverket)** (2011) 'Strategi- och verksamhetsplan 2011'. (Internal corporate plan 2011.) Norrköping: Migrationsverket.
- TAMAS, G.** (2009) *De Apatiska. Om Makt, Myter och Manipulation*. (The Apathetic. On Power, Myths and Manipulation.) Stockholm: Natur and Kultur.
- WATERS, C.** (2008) *Refugee Children: Towards the Next Horizon*. London/New York: Routledge.
- WETTERGREN, Å.** (2010) 'Managing Unlawful Feelings: The Emotional Regime of the Swedish SMB'. *International Journal of Work Organisation and Emotion* 3(4): 400–418.
- YIN, R.** (1994) *Case Study Research*. London: Sage.
- ZETTER, R.** (1991) 'Labelling Refugees: Forming and Transforming a Bureaucratic Identity'. *Journal of Refugee Studies* 4(1): 39–62.