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Children's right to participate in child and youth welfare

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Abstract

The participation of children and adolescents in child and youth welfare is recognized as a fundamental element in promoting autonomy and children's rights. Despite legal and ethical foundations, particularly Article 12 of the UN Convention on the Rights of the Child, practical implementation often remains limited. This study provides a critical analysis of the current research on participation in child and youth welfare. Key questions include the definition of the concept of participation, challenges in implementation, and potential approaches for improvement. The findings reveal that structural barriers such as resource shortages, high workloads, and a lack of institutionalized participation mechanisms hinder effective involvement. Furthermore, the tension between participation and child protection often leads professionals to make paternalistic decisions rather than enabling genuine co-determination for children. The results highlight the need for a paradigm shift towards an organizational culture that fosters participation.

Introduction

The participation of children and young people is increasingly recognized as an essential element in contemporary childhood and youth research and is gaining attention in various fields (Hill et al., 2004; Meyer and Rahn, 2020; Percy-Smith and Thomas, 2010; Pluto, 2018; Schweiger, 2024b). The voices of children and young people should be heard and taken seriously, and they should have the opportunity to shape and co-decide in as many areas of life as possible, including education,

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politics, and social work. The shift from a command-based to a negotiation-based household has also influenced private life, where it is now common for children and young people to be included in decision-making processes regarding their upbringing and to experience themselves as active participants in their own education (du Bois-Reymond et al., 1993).

This review focuses on research conducted in the Global North, particularly in Europe, North America, and Australia. This geographical emphasis is due, on the one hand, to the availability of extensive empirical studies in these regions and, on the other hand, to comparable legal and institutional frameworks, largely shaped by the widespread ratification of the UN Convention on the Rights of the Child. However, it should be noted that within the Global North, different cultural traditions and welfare state arrangements exist, which shape understandings of childhood and participation—a differentiation that can only be addressed to a limited extent within the scope of this review

In child and youth welfare, the question of participation takes on a particularly significant role. First, it is important to recognize that child and youth welfare encompasses a broad spectrum of professional tasks and services: daycare centers, outpatient educational assistance, residential facilities, youth centers, street work, educational counseling, as well as decisions regarding child welfare risks, the removal of children from their biological families, foster care and adoption, and legal representation in custody disputes. The approach of child and youth welfare to participation is shaped by a complex interplay of legal regulations, specialized knowledge from disciplines such as pedagogy, social work, and psychology, professional ethical obligations, societal, cultural, and political expectations, and, ultimately, the interests of the affected clients—children, young people, and their guardians. This field inherently involves individuals with significant disparities in power, knowledge, resources, and capabilities, embedded in generational relationships—often described under the concept of adultism (Corney et al., 2022)—which, as childhood research has long emphasized, are socially constructed and maintained (Andresen, 2013; Honig, 2009).

The omnipresence of the issue of participation in child and youth welfare means that it can be examined from various perspectives and disciplinary approaches, which, while interrelated, are not necessarily congruent. Legal regulations, for instance, do not address pedagogical or professional ethical questions, nor does psychological research on the effects of participatory processes on children's and young people's well-being resolve the issue of how power relations in child and youth welfare structure and embed these processes.

This paper, from a childhood studies and pedagogical perspective, aims to provide an overview of the current state of research on participation in child and youth welfare and to critically examine it. The following key questions guide the analysis: What does participation in child and youth welfare entail? What difficulties and challenges arise in implementing participation in this field? How can participation be successfully realized despite these challenges, and what changes at the level of individuals, structures, and institutions are necessary to achieve this?

The structure of this paper is as follows: First, theoretical references are introduced, addressing the question of what participation is and how it is understood in child and youth welfare. This is followed by an overview of the state of research based on selected international studies. The selection of studies follows the principles of a narrative review and is guided by the following criteria: quality (ensured through peer review or recognizable quality standards such as methodological discussion and transparency), relevance (a strong connection to the research question of participation in child and youth welfare), disciplinary proximity to childhood studies and pedagogy, and diversity, with a clear focus on the Global North (geographical distribution, different age groups, and various areas of child and youth welfare). After presenting the research findings, they are critically discussed to identify and cluster the main difficulties and challenges. This paper concludes with a summary and an outlook, highlighting key research desiderata.

Theoretical foundations: Participation and children's rights

This section discusses the concept of participation, particularly in relation to children's rights and within the context of child and youth welfare. The term "participation" derives from the Latin word *participare*, meaning "taking part" or "having a share." In common language, it is often used synonymously with terms such as involvement, co-determination, and engagement. Participation is understood as the active involvement of children and young people in decisions that affect them. Hart's (1992, 2008) "Ladder of Participation" distinguishes different levels of participation—from "no participation" through "tokenism" to "full participation." According to Hart, full or genuine participation occurs only when children are not merely listened to or superficially included, but when they have real opportunities to co-determine and contribute to decisions. This implies that they are capable of asserting themselves against the power, desires, and opinions of adults if necessary. Hart's ladder serves as a widely used framework in research and practice in child and youth welfare (Križ and Skivenes, 2017; Van Bijleveld et al., 2015) to assess the extent to which children and young people actually participate. However, it does not resolve the question of how much participation is justified in specific settings, for particular issues, or at a certain age. It is also important to recognize that some children and young people who are in contact with child and youth welfare services already take on a considerable amount of responsibility—both for themselves and for others—and are therefore required to make decisions, some of which may overwhelm them. A good example of this are young carers, for whom the dynamics of vulnerability and protection, as well as autonomy and paternalism, are particularly relevant (Schweiger, 2025a). The following section briefly introduces key theoretical approaches that justify and define the substantive meaning of children's and young people's participation.

The right to participation can be derived from children's rights, particularly from the United Nations Convention on the Rights of the Child (UNCRC) and Articles 12 and 13 (UN, 1989). These articles primarily emphasize that children have the right to be heard and that their views must be appropriately considered in all matters affecting them. However, the convention does not primarily grant children the right to make decisions independently; rather, it situates them in relation to adults and institutions such as courts. The convention itself contains two possible justifications for this right to participation (Skauge et al., 2021), which are also central to child and youth welfare.

On the one hand, participation can be understood as intrinsically valuable. Children and young people have a right to it, just as adults do. This perspective aligns with the liberal human rights tradition, which views self-determination and individual freedom as fundamental normative principles. However, such an approach is not without challenges in the context of children's rights and is accordingly supplemented in the UNCRC and the academic literature on the right to participation and co-determination with additional considerations (Archard and Skivenes, 2009; Brighouse, 2003; Clark, 2014). Participation must be qualified in the sense that it constitutes a right for children and young people only when they are capable of exercising it—meaning they must possess the necessary (cognitive, emotional, social) competencies. For children who are not capable of participating, participation is neither valuable nor something they have a right to. This raises a frequently discussed issue in the literature: when are children and young people capable of co-determination and participation? And who has the authority to decide whether they are capable? Does this not lead to either a circular reasoning problem (participation in deciding about participation) or a problematic power asymmetry?

The second justification for the right to participation and co-determination stems from considerations of the child's best interests and child protection (Bagattini, 2019; Zermatten, 2010), as enshrined in Article 3 of the UNCRC. Children and young people are particularly vulnerable and

therefore have a special right to protection, including protection from themselves and the potential risks arising from their agency and participation. Unlike for adults, where such paternalistic interventions are highly problematic within a liberal paradigm, they are often accepted—sometimes without question—when it comes to children and young people. This is a key topic in the debate on participation in child and youth welfare: to what extent should participation be balanced against considerations of the child's best interests and child protection? And which of these two fundamental principles of children's rights should take precedence? Finally, the limitation of children's and young people's participation rights, as set out in Article 5 of the UNCRC—the right of parents to provide guidance in their upbringing—should be briefly mentioned here, though it will not be explored in detail (Sutherland, 2020). This limitation is particularly relevant in child and youth welfare when weighing decisions regarding child removal and reunification (Taylor, 2021).

On the other hand, participation can be understood as instrumentally valuable. From this perspective, children and young people have a right to participation because it leads to better outcomes (Skauge et al., 2021; Vis et al., 2011). Depending on the criteria used, this could mean that participation enhances their psychological well-being, self-confidence, or health, that they are more likely to accept and support an intervention, or that participation helps them engage in less risky behavior or achieve better learning outcomes. According to Meyer and Rahn (2020), participation can thus be seen as a developmental task during childhood and adolescence, as it fosters the ability to assess one's actions, weigh options, and take responsibility.

The instrumental perspective on children's and young people's participation faces similar challenges as the intrinsic perspective—it also needs to determine when they are capable of participating or in which situations participation should be weighed against other effects and consequences. Moreover, it is not always easy to distinguish between intrinsic and instrumental value. For instance, Hart (1992) highlights that participation fosters children's sense of self-efficacy and the development of social skills, which can be seen as both an inherent good and a beneficial outcome. Nevertheless, an instrumental perspective might find it easier to justify limiting participation by referring to other considerations such as the child's best interests or potential negative effects. If participation does not yield positive effects, it may be seen as relatively unproblematic to withhold it from children and young people and instead make decisions on their behalf.

Like all human rights, children's rights are grounded in a methodological and normative individualism, which focuses on the individual as the bearer of these rights—including the right to participation and co-determination. However, from a broader perspective, the social environment and the impact on others can also be taken into account. In this view, participation can be linked to values such as democracy and social equality (Kulynych, 2001; Moran-Ellis and Sünker, 2018; Schwerthelm, 2022). This relationship is twofold: democracy requires the participation of all citizens, including children and young people. Hart (1992) also emphasizes that, ultimately, full participation is about children's citizenship. At the same time, broad participation strengthens democracy by allowing individuals to practice and internalize democratic values and "virtues."

Similarly, participation is discussed in relation to reducing social inequality, as it is grounded in the principle of fundamental human equality. However, it is precisely social inequalities—such as disparities in education, socioeconomic status, and racial or ethnic discrimination—that can hinder or prevent participation (Schwerthelm, 2022). This is particularly relevant in the context of child and youth welfare, which primarily deals with vulnerable and underprivileged populations (Bywaters, 2015; Keddell, 2023; Schweiger, 2019). These groups are especially susceptible to power asymmetries and may be more easily influenced or intimidated.

Two additional aspects are crucial for understanding participation as a concept in child and youth welfare. First, participation is not merely an individual ability but rather a form of social relationship. Second, the ability to shape and engage in this relationship develops throughout

childhood and adolescence and varies depending on internal and external factors. Participation is thus a process that relies on at least two people interacting. As Seim and Slettebø (2017) point out, participation is realized within trusting relationships where children and young people can contribute, express their opinions, and ultimately co-determine decisions. This means that the question is not only whether children and young people *can* or *are allowed to* participate, but also how their counterparts shape the relationship, accept, enable, and support participation. This applies to all participatory processes, including those between adults. However, when it comes to children and young people, particular anthropological, psychological, and social conditions must be considered.

Children and young people typically do not possess the same abilities as adults; they are still developing and process many learning experiences through socialization, upbringing, and education (Lansdown, 2005; Sutterlüty and Tisdall, 2019). Younger children often require more support to express their needs, whereas older adolescents may be able to present differentiated perspectives and make independent decisions. These distinctions between children of different ages and adults are not merely "natural" but follow a logic of social construction (Hammersley, 2017; Wall, 2022). Those who are perceived as incapable are granted fewer or no opportunities to exercise their abilities. This perception is then used to justify why participatory opportunities are withheld. A conception of childhood and youth as inherently vulnerable (Andresen, 2014; Schweiger and Graf, 2017) or less competent (Mühlbacher and Sutterlüty, 2019) inevitably raises ethical questions (Schweiger, 2024a), which shape both the theory and practice of child and youth welfare, as well as related research and policymaking.

The question of the conditions required for meaningful participation can be fruitfully explored using the Capability Approach, as developed by Amartya Sen and Martha Nussbaum. As Schweiger (2025b) shows, the capability approach provides a solid foundation for social work with children and adolescents, especially those from disadvantaged families, because it is sensitive to their needs and focuses on what they require to actually lead a good life (Drerup and Schweiger, 2024)—that is, which capabilities they need and what resources are necessary to develop these capabilities. Participation is a central aspect of this, as autonomy is both a goal of social work with these children and adolescents and part of the theoretical foundation that justifies their right to have a say. The Capabilities Approach emphasizes both the value of participation and autonomy during childhood and adolescence, as well as the fact that certain prerequisites must be in place and developed before these can be meaningfully exercised. At the same time, children and young people have a legitimate claim to the development of these enabling conditions. This means that certain capabilities must first be developed before autonomous decisions can be made and this justifies paternalistic interventions insofar as they aim to enable future agency (Schweiger and Graf, 2015). Hart and Brando (2018) expand this perspective by understanding participation not only as a right but as a capability that requires both individual competencies and enabling social conditions. This shifts the focus from whether children are capable of participating to the societal responsibility to provide the necessary conditions for meaningful participation (Domínguez-Serrano and Del Moral-Espín, 2022). However, the Capabilities Approach is just one of several possible normative frameworks for child and youth welfare services and the question of participation (Schweiger, 2025b).

The participation of children and young people in child and youth welfare is always embedded in existing power relations that influence and often limit their co-determination (Pluto, 2018; Schweiger, 2025b; Schwerthelm, 2022; Skauge et al., 2021). Adults, particularly professionals, possess a structural—often legally secured—power advantage, reinforced by their position, knowledge, and decision-making authority. In contrast, children and young people are often excluded from such resources, which restricts their capacity to act. As Toros (2021) illustrates, professionals

frequently use their power with the intention of acting in the best interests of children and young people, sometimes restricting participation based on this rationale. This relates to the previously discussed tension between participation and child welfare: unlike in the case of adults, participation for children and young people must always be weighed against considerations of protection from harm, particularly from a children's rights perspective. Children and young people not only have a right to participation and co-determination but also a right to the protection of their welfare and interests.

A model for implementing the right to participation and co-determination, developed by Lundy (2007), has been applied in child and youth welfare contexts (Kennan et al., 2018). Lundy distinguishes four interconnected elements:

1. *Space*—Children and young people must have the opportunity to express their opinions.
2. *Voice*—They must be supported in expressing their views.
3. *Audience*—Their opinions must be actively listened to.
4. *Influence*—Their opinions and wishes must be acted upon.

Lundy proposes several practical approaches to implementation, such as child-friendly communication, creating a calm conversational atmosphere where children are spoken to in an accessible and respectful manner, and ensuring that children's and young people's wishes are genuinely incorporated into decision-making, with clear documentation and transparent communication of outcomes. Lundy's model does not justify the right to participation itself—it assumes this right based on Article 12 of the UN Convention on the Rights of the Child. Nor does it resolve many of the challenges discussed earlier. Instead, it provides social workers, professionals, and decision-makers with a framework for navigating complex issues, such as balancing co-determination with protection.

Review of challenges and realities of participation in child and youth welfare

This section presents selected studies on the participation of children and young people in child and youth welfare, incorporating both empirical and theoretical perspectives. The selection of studies follows an extensive literature search in common databases (primarily Google Scholar) and is based on the principles of a narrative review. The studies were selected according to the following criteria: quality (ensured through peer review or clear methodological discussion and transparency), relevance (a strong connection to the topic of participation in child and youth welfare), disciplinary proximity to childhood studies and pedagogy, and diversity, with a clear focus on the Global North (including geographical distribution, various age groups, different areas of child and youth welfare, and perspectives from both children and young people as well as professionals working in the field). Based on these criteria, five individual studies—four with a qualitative research design and one employing a mixed-methods approach (combining discussion groups and a survey)—as well as four review studies were selected. These studies provide an exemplary representation of the research landscape and serve as the foundation for identifying and synthesizing four central challenges to the successful participation and co-determination of children and young people. The presentation of the selected studies follows a thematic structure that moves from individual studies to systematic reviews. The selection represents different disciplinary perspectives—from social work and education to childhood studies—as well as a variety of methodological approaches. The review begins with four qualitative case studies and one mixed-methods study

that exemplify key challenges in participation. This is followed by an analysis of four systematic reviews that synthesize the state of research and identify overarching patterns.

One of the earlier studies by Tregeagle and Mason (2008) is based on 32 interviews with children, young people, and parents involved in participatory programs within Australian child and youth welfare services ("Looking after Children" and "Supporting Children and Responding to Families"). Despite the explicit aim of these programs to enhance client participation, significant barriers were found that hindered actual engagement. One of the main obstacles was the lack of trust between clients and professionals, primarily because there was insufficient time for relationship-building. As one participant exemplified:

> It took a long time for me to open up to workers. (Tregeagle and Mason, 2008, p. 395)

Due to this lack of trust, critical information was often withheld, as children and young people hesitated to discuss sensitive but crucial topics, such as substance abuse. This, in turn, negatively impacted the effectiveness of intervention planning. On the other hand, positive experiences—where professionals demonstrated empathy and sensitivity—encouraged clients to participate, particularly when they felt that the professionals took the time to listen to their needs, wishes, and opinions.

Tregeagle and Mason also highlight two additional barriers to participation. First, there was a lack of appropriate structures and materials tailored to children. In some cases, children and young people were not taken seriously and were seen merely as part of the family system rather than as independent actors. Second, decision-making was ultimately carried out unilaterally by professionals, without considering the preferences of the clients. The study concludes with a rather sobering assessment: even in programs designed to promote participation, meaningful involvement is often not achieved. This applies not only to co-determination in decision-making but also to more fundamental aspects of participation, such as being heard and having one's perspective acknowledged, as outlined in the UN Convention on the Rights of the Child. Simply providing opportunities for participation or asking for input is insufficient; participation requires an intentional setting and relationship-building—both of which are frequently undermined by time constraints and limited resources.

A study by Jobe and Gorin (2013) further underscores these challenges. Based on interviews with 24 children and young people aged 11 to 17 in England, the study examines their experiences with child and youth welfare services. Two quotes illustrate key difficulties:

> I feel that I'm repeating myself over and over and over and over again.

> No, it all felt like whatever I told them they would go and tell my mum. . . so I would just stop telling them.

> (Jobe and Gorin, 2013, pp. 433 and 435)

The first quote highlights the frustration of young people who had to repeatedly share their experiences due to the frequent turnover of social workers, preventing continuity of care and relationship-building. The second quote illustrates how essential trust is for participation—not only for children and young people but for adults as well. Without trust, children and young people may withhold potentially sensitive or problematic information, thereby rendering participation in the sense of being heard impossible. Trust emerges as a key factor enabling participation, but it also ties into the previously mentioned tension between participation and child welfare. This tension

arises from the need to balance the inclusion of children and young people (including their right to privacy and control over their information) with the protection obligations of child and youth welfare services. Jobe and Gorin argue that without the participation of young people, the protective function of these services cannot be effectively fulfilled, as many risks only become apparent when young people feel safe enough to open up and trust that they will be taken seriously without fear of sanctions.

The perspective of adult professionals was explored in a study by Woodman et al. (2023), which conducted interviews with eighteen social workers in Australia. Their findings highlight a strong awareness among professionals that the participation of children and young people is valuable and that they have a right to it. However, in practice, participation faces significant obstacles. Some professionals lack the necessary knowledge and competencies to implement participatory approaches, while structural barriers—such as time constraints, insufficient resources, high caseloads, and a lack of professional training—further hinder participation. One of the key challenges identified by professionals was the lack of trust from children and young people, which itself is often a result of these structural limitations. As previously noted in the studies by Tregeagle and Mason (2008) and Jobe and Gorin (2013), trust is built through long-term relationships—something that is difficult to establish under high caseloads and limited time resources. When combined with a lack of knowledge about effective communication strategies and insufficiently empathetic relationship-building, it is unsurprising that children and young people may withdraw from participation, even when they are formally allowed and encouraged to do so. Another significant theme in Woodman, Roche, and McArthur's study is the tension between participation and child protection. Many professionals express greater concern about potential risks and child welfare issues than about respecting children's and young people's wishes. One professional succinctly captured this dilemma:

> I think that the concept of child-centred practice are words that get said a lot, but [have] not always been the practice. So, I think that they should be the same thing [child-centred and participation], but whether they are, in practicality I do not think they are . . . (Woodman et al., 2023, p. 129)

Children and young people may withdraw even further from participation when they sense that their voices are not truly heard or that they have no meaningful influence on decisions. This frustration is understandable, particularly when they perceive that social workers ultimately make all decisions for them. Another notable finding of this study is that participation is often considered more problematic for younger children, whose wishes are either not solicited at all or dismissed based on assumptions about their immaturity or in the name of child welfare. Woodman, Roche, and McArthur conclude that participation is often dependent on the personal skills and beliefs of individual social workers rather than being systematically embedded in institutional structures. As a result, the right to participation is effectively "privatized"—it depends on whether a child or young person is fortunate enough to encounter the "right" social worker.

A study by Hartig and Wolff (2008) examined successful participation in residential care settings in Germany from the perspective of young people. Using a representative survey and workshops conducted in a youth home, the study identifies a disconnect between institutional aspirations and everyday reality. While professionals and institutions recognize the importance of participation and strive to implement it, young people experience significant limitations in practice. The study highlights how organizational constraints often result in only superficial or tokenistic participation. While formal structures for participation exist—such as youth councils or spokesperson committees—they often fail to foster a genuine culture of engagement. Consequently, young

people frequently feel unheard and not taken seriously. Hartig and Wolff summarize this disconnect as follows:

> One result was that young people want to experience and feel participation in everyday life. Institutionalized participation forms, such as home or spokesperson councils, are just empty formalities for them if they are not accompanied by a necessary climate of daily participation or if a culture of participation in everyday life cannot emerge. (Hartig and Wolff, 2008, p. 27)

On the other hand, professionals often feel overwhelmed by the demands of facilitating participation, as organizational constraints limit their time and capacity. The daily routine in residential care consumes most available resources, making participatory approaches difficult to implement. Additionally, misunderstandings about who should be consulted and to what extent young people should have a say in decisions further complicate communication between staff and residents.

A study by Strömpl and Luhamaa (2020) examined the participation of children and young people in child protection proceedings in Estonia. The study found a striking discrepancy between the perceptions of professionals and the experiences of children and young people. While professionals believed they were protecting children and young people by limiting their direct involvement in court proceedings, many young people felt excluded, uninformed, and powerless. Numerous children and young people reported negative experiences related to their removal from their families. These included sudden and unannounced hearings, a lack of preparation, and insufficient explanations about legal proceedings. Some children were taken out of school without prior notice and brought to hearings without understanding their rights or the purpose of their statements. Furthermore, some children and young people were promised confidentiality, only to later discover that their statements had been shared with their parents—leaving them feeling betrayed. In contrast, many professionals remained convinced that their actions were in the best interests of children and young people. However, the study demonstrates how exclusion from decision-making processes leads to frustration and emotional distress, reinforcing young people's feelings of disempowerment. The findings suggest that greater transparency, better communication, and the active involvement of children and young people in legal proceedings are necessary to align protection efforts with their rights to participation.

In addition to these individual studies, we now turn to systematic review studies. Such studies are of particular importance as they provide an overview of the current state of research and condense and summarize key insights across multiple individual studies. The study by Toros (2021), conducted according to PRISMA guidelines, analyzed twelve studies published between 2009 and 2019 on the participation of children and young people from the perspective of professionals. Toros identifies key obstacles that hinder successful participation and co-determination: structural and organizational deficiencies and barriers, the age of the children, lack of communication from professionals, and the emphasis on child protection. Particularly younger children are often not included to prevent them from being overwhelmed or to protect them from negative consequences, such as the burden of giving testimony or having to choose between parents. In the study by Alfandari, which Toros analyzes, the justification for this is as follows:

> To me it was clear that I should not have invited her to the committee, she is too young. . . She is 8. She is going through enough suffering anyways. I think the move to placement is hard enough for her. I think that standing before the committee would only agitate her and turn her stomach. . . (Alfandari, 2017, p. 59).

Toros identifies on the part of professionals reasons for the lack of participation that have also been noted in individual studies: lack of knowledge and uncertainty, high workload, and concerns about

child welfare. These factors make participation difficult or impossible, even when professionals acknowledge the right of children and young people to participate and state that participation is important. When participation does occur, it is on a lower rung of Hart's ladder, primarily involving listening to children or gathering information from them; genuine co-determination or decision-making opportunities are rare, leading Toros to conclude that participation in practice, despite claims to the contrary, is often more illusion than reality.

The literature review by Eberitzsch et al. (2021) examines participation experiences in residential child and youth care and evaluates German- and English-language publications from 1990 to 2019. Here too, the result regarding lived practice is rather sobering. A particular tension between organizational requirements and the needs and interests of children and young people emerges. Children and young people would like to co-determine and participate, but due to structural barriers, they often cannot or can do so only inadequately; ultimately, it is the organization or the social workers who decide how much participation is possible, and they either cannot, do not want to, or are not allowed to share or relinquish this power. Eberitzsch et al. again identify a lack of resources, time constraints, overwork, rigid rules, insufficient training or knowledge among professionals, and the prioritization of protection and risk minimization as key factors that prevent children and young people from participating meaningfully, despite contrary commitments and their legal right to participation. This study introduces an interesting new perspective by pointing out that many settings in residential child and youth care involve pseudo-participation—that is, forms of participation that exist in name only and do not allow for genuine influence—, which frustrates young people and leads them to consciously disengage from participatory processes. Furthermore, Eberitzsch et al. show that participation is mostly limited to everyday matters, such as food choices or leisure activities, while significant decisions that children and young people consider important, such as contact arrangements, are made without their involvement. Thus, the interplay of professionals' attitudes and competencies, organizational culture, and institutionalized forms of co-determination and participation either promotes or hinders participation, and in many cases, it frustrates children and young people, making them feel like passive objects.

Van Bijleveld et al. (2015) also highlight in their literature review the considerable difficulties that successful participation in child and youth welfare faces. They point out that professionals do regard participation as important and want to enable it, but that there is a wide range of interpretations of what participation entails. This spectrum ranges from merely listening to the opinions of children and young people to genuine co-determination, thereby covering the entire range of Hart's ladder:

> Participation is sometimes even described as nothing more than seeing the child. (Van Bijleveld et al., 2015, p. 134)

This leads to a dilution of the concept of participation as it is outlined, for example, in the Convention on the Rights of the Child, rendering it ultimately ineffective in achieving its goals. Instead, many professionals in the studies analyzed emphasize the vulnerability of children and young people and their lack of decision-making competence. Adult-centered standards of rationality, coherence, and consistency are applied, and if children and young people fail to meet these criteria, participation is denied in the name of their own protection. Furthermore, certain areas, such as cases involving violence or sexual abuse, are considered too serious for children to be included in decision-making. In addition to these attitudes that hinder participation, structural and organizational barriers also play a decisive role in establishing a solid relationship that allows for participation. Many social workers argue that it is essential to know children and young people

well to assess their ability to participate and to understand how their opinions should be weighed. However, building such relationships is not always possible:

> The frequent change of social workers, the social workers' time constraints, and the focus on protection seem to hinder the development of a relationship. For social workers, organizational barriers, such as a focus on risk management and bureaucratic constraints, add to the barriers for creating the time and opportunity for children to participate within the decision-making process. (Van Bijleveld et al., 2015, p. 136)

Van Bijleveld, Dedding, and Bunders-Aelen argue that it is crucial to initiate a shift in perspective at the organizational, institutional, and individual levels among professionals, one that does not view children and young people merely as vulnerable beings in need of protection but also as knowledgeable and capable actors whose participation ultimately leads to better decisions and outcomes.

Finally, we turn to the systematic meta-review by McCafferty and Mercado Garcia (2024), which evaluates fourteen review studies in light of Article 12 of the Convention on the Rights of the Child. As with the studies and reviews presented so far, the results are sobering and can be summarized in one sentence:

> Studies show children's participation in the child protection system is significantly diminished in practice. (McCafferty and Mercado Garcia, 2024, p. 1103)

Here, too, the lack of skills among social workers and other professionals, structural barriers, and cultural beliefs that fail to recognize children and young people as knowledgeable and capable actors stand in the way of participation. The relationships necessary to cultivate trust and openness are rarely established, meaning that even well-intentioned attempts to listen to children, take their needs and interests into account, or involve them in decision-making often fail. Despite significant efforts to enshrine the right to participation in child and youth welfare, this right remains largely unfulfilled in many processes and decisions that affect the well-being of children and young people and their current and future life circumstances.

Key insights on the implementation of participation in child and youth welfare: Structural, professional, and conceptual challenges

Now, we synthesize three key insights from the state of research and concisely present them in relation to the theoretical background of the right to participation and co-determination of children and young people. The studies presented earlier, despite examining different national contexts, areas of child and youth services, age groups, and perspectives of both children and professionals, reveal overlapping commonalities regarding the challenges in implementing the right to participation and co-determination. They also allow for further reflection on the difficulties in theoretically defining participation in children and youth services and its relationship to other key concepts, such as child welfare protection.

The first key insight is that structural constraints and organizational conditions often hinder or even prevent participation. Whether considering participatory programs in Australia (Tregeagle and Mason, 2008) or residential child and youth services in Germany (Eberitzsch et al., 2021; Hartig and Wolff, 2008), structural barriers are consistently cited as obstacles, particularly the lack of time and resources, the absence of institutionalized participation mechanisms, or legal regulations that ultimately complicate participation. Although participation and co-determination in child

and youth services are now almost universally recognized as important, even as a right and generally valuable, the necessary institutional and organizational conditions to truly enable them are not being created—for example, the establishment of trusting relationships that provide continuity (Seim and Slettebø, 2017). The forms of participation demanded in Lundy's model—space, voice, audience, influence—are inadequately implemented in practice. There is often insufficient time to listen to children and young people in a calm setting, information is not prepared and communicated in a child-friendly manner, their wishes and statements often go unheard, and decision-making frequently relies almost exclusively on adult perspectives and professional expertise. Various factors contribute to this, such as poor working conditions and the general underfunding and lack of recognition of child and youth services in social policy, as described by Woodman et al. (2023). As Toros (2021) outlines, the routines and procedures remain adult-centered, catering to their needs and interests, which leads to participation being implemented only in a formal sense. Eberitzsch et al. (2021) also conclude that there is a discrepancy between formalized participation mechanisms and actual forms of participation and co-determination, understood as genuine agency and decision-making power for children and young people. While children and young people may be routinely heard, their voices often go unanswered.

The second insight, which emerges across almost all studies, is that participation is not only hindered by structural obstacles but also by the attitudes and lack of competencies among social workers and other professionals. Some of these challenges also have structural causes, such as insufficient knowledge about what participation entails, what it requires, and how children and young people can be supported in it. However, there are also beliefs among professionals that participation is either not as important, that children and young people are not sufficiently capable of it, or that they need to be protected from it. In these cases, the intrinsic value of participation and co-determination is considered minimal or nonexistent, and sometimes even its instrumental value is not recognized—children and young people's involvement is not seen as key to better decisions. On the other hand, professionals often make conscious trade-offs between the right to participation and the duty to protect child welfare. As all studies show, children and young people are perceived primarily as vulnerable and in need of protection, and the professional role of child and youth workers is precisely to fulfill this protective function. Van Bijleveld et al. (2015), as well as McCafferty and Mercado Garcia (2024), highlight that there is a significant tension between the duty to protect, which is perceived as both ethically and legally binding, and the right to participation, which is most often subordinated to protection. This tension is particularly pronounced for younger children. Professionals often struggle with effectively involving younger children using appropriate methods, such as non-verbal communication through drawings or play rather than traditional interview techniques. The weaker children and young people's communicative and rhetorical abilities are, the more likely they are to be ignored (Toros, 2021). As Schwerthelm (2022) points out, this dynamic can lead to the reproduction of exclusion mechanisms and social inequalities within child and youth services, as it is often children and young people from disadvantaged backgrounds who struggle to express themselves—those who experience shame and lack self-confidence, those who are skeptical of or fearful of authorities and institutions. This often results in frustration among children and young people and inner conflict, doubt, and even guilt among professionals, who feel that they are disappointing children and young people or making decisions against their wishes.

The third key insight from the examined studies is that there is no consensus on what participation is and what it requires. Instead, a broad spectrum of interpretations exists at both the organizational level and among professionals. In some cases, participation is reduced to merely listening, where the focus is on gathering information rather than acknowledging the subjective opinions and wishes of children and young people (Strömpl and Luhamaa, 2020). At the other end of the

spectrum, some conceptualizations emphasize that children and young people should have genuine co-determination power (Toros, 2021; Tregeagle and Mason, 2008). This discrepancy is further reinforced when considering the theoretical perspectives discussed earlier: children and young people generally want to participate as extensively as possible and thus claim the intrinsic value of this right for themselves, whereas professionals, as previously described, often lean in the opposite direction and tend to emphasize the instrumental value of participation. This results in a disconnect between the perspectives of children and young people and those of professionals regarding what constitutes participation, which, as Eberitzsch et al. (2021) demonstrate, frequently leads to frustration. The debate over what constitutes meaningful participation and co-determination also underscores the inherent asymmetry in power, resources, knowledge, and expertise within institutions and organizations—an asymmetry that professionals often uphold and claim for themselves. It is almost never the children and young people who decide how much co-determination they should have or what level of participation would be appropriate for them. Instead, it is the institutional structures and the professionals who dictate these parameters, often failing, for the reasons mentioned above, to meet their own standards of what participation should entail.

In the following, the three key insights that emerge from the research findings are explicitly interpreted in light of the theoretical foundations introduced in Section 2 and interconnected. This aims to demonstrate how closely the study results align with questions regarding the intrinsic and instrumental value of participation, the tension between protection and autonomy, and the considerations of Hart (1992, 2008) and Lundy (2007). The studies presented here first highlight that structural and organizational constraints—such as a lack of time and personnel, heavy caseloads, insufficient resources, and inadequately institutionalized opportunities for involvement—significantly hinder the consistent fulfillment of participation rights (Tregeagle and Mason, 2008; Woodman et al., 2023). Although the right to participation, enshrined in children's rights (UN, 1989, Art. 12), is widely recognized, in many cases it remains limited to merely hearing children out. True inclusion of children and adolescents, as described by Hart (1992, 2008) in his "ladder of participation," requires sufficient structural provisions to establish trusting relationships and genuinely listen to children. In practice, however, time constraints and limited personnel often make it difficult to achieve the four elements Lundy (2007) identifies: space, voice, audience, and influence. Children and adolescents may formally have the right to a "voice," but they lack adequate "space" in which they feel safe enough to express their needs openly. This discrepancy clashes with the intrinsic value of participation, which sees children as independent actors with legitimate interests.

Second, the studies show that the attitudes and competencies of practitioners—specifically their professional self-concept, methodological skills, and willingness to reflect on their own power positions—play a decisive role in achieving successful participation (Jobe and Gorin, 2013; Toros, 2021). Many practitioners face the dilemma of meeting the "duty to protect" on one hand and respecting children's autonomy on the other. This conflict also appears in the theoretical discourse: Participation is not only instrumentally valuable (e.g. improving interventions, enhancing acceptance, and fostering development) but also carries an intrinsic claim because children, like adults, possess an inalienable right to co-determination (Lansdown, 2005; Meyer and Rahn, 2020). When protection is given absolute priority, children can quickly be relegated to a passive role whose views are overlooked out of concern for possible negative consequences. This is especially pronounced with younger children, where it remains unclear which methods are most suitable for dialogue-based involvement (Van Bijleveld et al., 2015). Lundy's (2007) approach offers a potential way forward, emphasizing the responsibility of adults to seek child-friendly communication methods and decision-making structures that prevent children from either feeling overwhelmed or effectively "silenced."

Third, there is often no common understanding of what participation concretely entails (Eberitzsch et al., 2021; Hartig and Wolff, 2008; McCafferty and Mercado Garcia, 2024). Some experts believe the term is fulfilled once children provide information and are "heard," while others regard "true" participation as co- or even self-determination, aligning with Hart's higher rungs of the participation ladder, where children actually wield power and decisively shape decisions. This ambiguity echoes the tension between protection and autonomy, but also between intrinsic and instrumental motives: Should participation be incorporated selectively to enhance the effectiveness of measures, or must it serve as a consistent, child-centered approach that informs the entire welfare process? From the perspective of children's rights (UN, 1989), it is clear that co-determination is not an "optional extra" but a fundamental right that cannot be eclipsed by the duty to protect. Studies on child welfare proceedings (Strömpl and Luhamaa, 2020) show that children frequently feel betrayed or disempowered when their input is requested but ultimately dismissed. According to research (Schwerthelm, 2022; Seim and Slettebø, 2017), overcoming these tensions requires a cultural shift in which participation is seen not merely as a formal obligation but as a vital principle. This includes consistently providing feedback on how children's contributions are taken into account and granting them real decision-making latitude. Thus, participation can fulfill both its intrinsic dimension—acknowledging children's status as subjects—and its instrumental usefulness—leading to stronger, more sustainable protective and supportive processes. In this interplay, Hart (1992, 2008) and Lundy (2007) serve as key points of reference, illuminating that protection and autonomy need not be mutually exclusive. Ideally, a professionally structured duty of care reinforces participation by ensuring that practitioners have better-informed insights and can cultivate the trust necessary for every measure. Hence, while barriers, uncertainties, and competing conceptions of participation remain, the discourse grounded in children's rights and theoretical models by Hart and Lundy has yielded practical approaches to rebalancing protection and self-determination and fully realizing the intrinsic value of participatory processes.

Conclusions

Research on children's and young people's participation in child and youth welfare reveals striking tensions between the normative aspiration for involvement and the actual circumstances in institutions and programs. In the theoretical section (see Section 2), participation was situated within the fundamental concepts of the UN Convention on the Rights of the Child, with particular emphasis on Article 12—the child's right to be heard in all matters affecting them. Hart's (1992, 2008) model of the "ladder of participation" offers a framework for describing different degrees of involvement, while Lundy's (2007) four elements (space, voice, audience, influence) underscore how complex the interplay between children's voices and institutional accountability can be. Although these approaches provide the normative basis, the body of research presented here shows that in many cases participation remains at a relatively low rung of the ladder, for instance when children and adolescents are merely listened to but do not have genuine decision-making power. Considering Lundy's four elements, it becomes evident that participation primarily fails at the level of 'voice'—children are heard, but there is a lack of adequate 'spaces' for trustful communication, a meaningful 'audience' that takes their perspectives seriously, and most importantly, 'influence' over decisions. Studies such as those by Tregeagle and Mason (2008) or Jobe and Gorin (2013) illustrate that children and young people frequently do not feel able to build trust and openly articulate their interests when the structures and relationships in child and youth welfare allow little room for authentic involvement.

Yet the theoretical justifications for stronger participation are clearly established: on the one hand, participation can be considered intrinsically valuable, since children, like adults, have a right

to self-determination; on the other hand, it can be justified instrumentally, as it often fosters learning and developmental benefits and leads to better outcomes. That practitioners often make paternalistic decisions out of concern for child protection, however, highlights the persistent gap between realizing the right to participation and the emphasis on child welfare that prevails in many institutions. Whether these two principles can be reconciled depends strongly—according to the research—on the professional attitudes of social workers and on structural conditions: time pressure, heavy caseloads, insufficient training, and ambiguous standards result in participation being formally desired but playing a subordinate role in everyday practice.

At the same time, the studies also suggest ways in which the theoretical rights framework could be bridged with practical implementation. Following the relational approach, which stresses that participation is rooted in trusting relationships (Seim and Slettebø, 2017), continuity and respectful interaction become key factors. Only when children and young people can contribute within a secure setting does their right to co-determination become more than a mere formality; it becomes a developmental arena that reinforces their sense of self-efficacy. However, the studies by Woodman et al. (2023) and Hartig and Wolff (2008) demonstrate that practitioners often struggle between organizational demands and a desire for participation-oriented practice, particularly when the organization itself does not allocate adequate resources for relationship-building or primarily focuses on risk management. Moreover, the breadth of what counts as a legitimate form of involvement is very wide: Van Bijleveld et al. (2015) note that some practitioners consider participation fulfilled simply by having children present in discussions, while others uphold a "higher" level of participation that aligns with Hart's vision of genuine involvement. This lack of consensus ultimately leads to the frustration described by many children when they realize that they might be included in some processes but remain structurally excluded from key decisions. As highlighted in Section 2, the methodological individualism of children's rights, which centers the individual child as a bearer of rights, is overshadowed by adultist power imbalances in practice—imbalances that can only be addressed by a systematic cultural shift. Such a transformation, as multiple studies (Eberitzsch et al., 2021; McCafferty and Mercado Garcia, 2024; Toros, 2021) suggest, demands both organizational and professional realignment so that participation is not merely the benevolence of adults but recognized as an inalienable right of children and adolescents.

Alongside clearer legal regulations, this requires comprehensive training of practitioners, increased personnel resources, and an awareness that participation does not succeed automatically nor can it be casually undermined in the name of child welfare. Child-rights-based approaches and the findings of empirical research indicate that genuine convergence of protection and involvement can only occur if children and young people are not denied their capacities, but rather acknowledged as individuals with their own perspectives and legitimate interests. Ultimately, the research presented here underscores that participation is not just a single procedure but rather an ethos that must be embedded at every level of a welfare system, and that even very young children can be included—provided one is willing to use alternative methods of communication and to adopt a view where protection and participation do not contradict but reinforce each other.

Participation remains inadequate as long as institutional conditions—such as time pressure, high caseloads, or rigid procedural logics—make it impossible for children and young people to truly have a say. In other words, as long as the transition from being heard to genuinely influencing decisions is obstructed. From the perspective of the Capability Approach, structural reforms are therefore necessary (Schweiger, 2025b): reforms that provide child-appropriate spaces, transparent decision-making processes, and resources for building relationships. In this sense, the Capability Approach is complementary to Lundy's "space–voice–audience–influence" model and extends it by adding the normative dimension of social justice. Only when material resources and symbolic recognition are considered together do the material, organizational, and individual conditions arise

under which protection and participation rights can truly be realized—and no longer have to be seen as mutually exclusive. At the same time, the Capability Approach emphasizes that professional engagement with children and adolescents must not stop at individual casework. It must also include advocacy for fair distribution, non-discriminatory structures, and genuine decision-making power. It is therefore essential to build bridges and think about change on both micro and macro levels in an interconnected way.

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Ethical Approval

This is a theoretical study that does not involve human participants or animals, and no new data were generated; therefore, ethical approval and informed consent are not applicable.

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