# Conducting Commissioned Research: The Finnish Inquiry into the Failures of Child Welfare, 1937–83

Antti Malinen<sup>a</sup>, Pirjo Markkola<sup>a</sup>, and Kirsi-Maria Hytönen<sup>b</sup>

<sup>a</sup>Faculty of Social Sciences, Tampere University, Tampere, Finland; <sup>b</sup>Department of History and Ethnology, University of Jyväskylä, Jyväskylä, Finland

antti.malinen@tuni.fi

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In 2013 the Finnish Ministry of Social Affairs and Health commissioned a testimony driven inquiry into failings in child welfare 1937–83. An academic research team was appointed to produce data on maltreatment (knowledge production), to identify and recognize injustice (moral objective) and to recommend improvents in child welfare services (developmental objective). This article discusses the Inquiry and scrutinizes the strengths and weaknesses of the model applied. Two aspects emerged to suggest that commissioned research is susceptible. First, among care-leavers the Inquiry raised a variety of expectations, which the report and subsequent apology ceremony were able to meet only partially. Second, as *ad hoc* teams were commissioned to draft recommendations with no political mandate, it is unclear who monitors whether recommendations are acted upon or not. However, the commissioned research had strengths in its knowledge production as well as in its political neutrality.

Keywords: inquiry; Finland, historical redress; children in care; history of childhood; commissioned research

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#### 1. Introduction

In the 1990s debates on children's rights on the one hand and transitional justice on the other provided new concepts and approaches to deal with troubled pasts and to seek redress. Not only genocides, civil wars and forced migration but also failings in education and social welfare became a target of social movements, individual journalists and researchers. Inquiries into failures of child welfare, in particular, have been international phenomena since the 1990s. In Finland the inquiry into neglect, abuse and violence against children in institutions and foster homes, 1937–1983 (hereafter Inquiry) was commissioned by the Ministry of Social Affairs and Health in 2013. After a funding competition a research team at the University of Jyväskylä carried out the Inquiry. Similar inquiries had been conducted earlier in Australia, Ireland, UK and Scandinavia, among others. The Finnish project started in August 2014, and the final report of the Inquiry was published in April 2016.

In this article we discuss the starting point, objectives and main outcomes of the Finnish Inquiry with some references to the wider international context of inquiries as part of the 'apology movement'.<sup>3</sup> We are interested in the ways in which the Inquiry was conducted and how those ways affect the outcomes of the Inquiry. The Finnish Inquiry represents both commissioned research and a testimony driven project<sup>4</sup>, which may create some complexity as far as the outcomes of the Inquiry are concerned. We reflect on the strengths and weaknesses of the use of commissioned research as a form of inquiry as well as the strengths and weaknesses of the testimony driven approach. The Inquiry commissioned by the Ministry and accomplished in academia had strengths

in its knowledge production. As far as political and administrative consequences are concerned, the commissioned research may also have limitations. Who, for example, will take responsibility for the implementation and follow-up of recommendations made, or for expectations for redress raised by the Inquiry? As we will show, the Inquiry led to a public apology ceremony in November 2016, but no further redress policies or reparative measures were initiated. Our article consists of three parts. First, we describe the objectives and implementation of the Inquiry in Finland (Sections 2–4). Second, we summarize the results of the Inquiry in order to give context to the potential outcomes and prospective preparatory measures of the Inquiry (Section 5). Third, we reflect on the aspects of redress and recognition in the Finnish process in which the Inquiry was planned and implemented (Sections 6 and 7). We argue that the process raised and activated expectations that the Finnish Inquiry managed to meet only partially.

# 2. Objectives of the Finnish Inquiry

The Swedish Inquiry, in particular, formed an important point of reference for the inquiry process in Finland. In 2011, referring to the Nordic experiences, the Finnish social democratic Minister of Social Affairs, Maria Guzenina, initiated an inquiry into past neglect and abuse of children in foster families and child welfare institutions. A working group consisting of civil servants and experts in child welfare, social work and social policy was appointed to prepare a formal inquiry. During the preparatory phase of the Inquiry, an independent director released a documentary film *Varastettu lapsuus* (*Stolen Childhood*) depicting experiences of institutional abuse, and the public discussion following the release generated new public concerns and increased calls for action. As a result of the preparatory work, the Ministry of Social Affairs and Health

issued fairly specific instructions on how the Inquiry should be implemented in Finland.

The Inquiry proceeded in the form of commissioned research, and included a tendering process. This procedure is an outcome of wider changes in public administration, in which demands for cost efficiency have led to changes in the forms of policy preparation. The previously strong role of parliamentary committees has diminished since the 1990s and new public policy instruments, such as working groups, appointed rapporteurs and commissioned reports have gradually gained a more prominent status. In the Nordic comparison, the Danish Godhavn Inquiry was also undertaken as commissioned research, and conducted by a research team located at the Welfare Museum of Svendborg.

The Ministry set three separate objectives for the Inquiry. They argued that there is too little research on the past failures of child welfare. Therefore, the first aim was to produce knowledge on the extent and nature of neglect, abuse and violence experienced in out-of-home care, and on the mechanisms of revealing defects in child welfare. The second aim, the moral objective of the Inquiry, was to make visible all forms of neglect, abuse and violence against children in out-of-home-care, and to underline that all these forms are, and always were, unacceptable. The third aim was to learn from the past and to develop present and future child welfare. These aims sought inspiration from the spirit of truth commissions and inquiries in other countries and linked the Finnish Inquiry to its international counterparts. Strong faith in knowledge production as well as the moral aims to identify and admit the failures of child welfare system are an inherent part of testimony driven work. Moreover, as Muhonen et al. Have noted, the Finnish Inquiry represents an example of social science and humanities research driving societal change.

Although the Inquiry was meant to be an administrative report, the Ministry of Social Affairs and Health explicitly commissioned a report that would meet the academic standards of scholarly work. <sup>15</sup> This definition afforded the research team some significant academic freedom and committed the Inquiry to the ethical rules of academic research. The Ministry appointed a steering group with academic competence to monitor and support the Inquiry. <sup>16</sup> Despite direct supervision by state administration, the research team was never asked to manipulate its findings or suppress the results of the Inquiry. On the contrary, the steering group provided professional academic criticism and support. <sup>17</sup> Based on this experience we argue that commissioned research may be less susceptible to political pressure than committees on which various interest organizations or political parties have their representatives. However, the academic freedom of commissioned research depends on the mandate given to the research team and the self-understanding of the state administrative body commissioning the report.

#### 3. Children in out-of-home care

The main objective of the Finnish Inquiry was to look into the experiences of children taken into care during the era of Finland's first Child Welfare Act, which was in effect from 1937 to 1983. Some earlier research based on archived documents has revealed problematic practices of child welfare in the 20<sup>th</sup> century. As Kaisa Vehkalahti has shown in her research on girls' reformatory identity, archived sources can also serve to bring out the voices of children themselves, but most often case files and other documents reveal the perspective of the authorities. Moreover, the research on the experiences of children has mainly covered current care-leavers, whereas the experiences of former care-leavers have not been investigated. Therefore, a testimony

driven approach was expected to produce valuable new knowledge about the failures of child welfare.

During the period of the first Child Welfare Act approximately 156,000 children lived in out-of-home care either in foster families or in residential institutions such as children's homes, reform schools or reception centres.<sup>20</sup> The forms of out-of-home care are presented in Table 1.

Table 1. Types of foster homes and residential institutions in Finland. 1937–1983.

Foster homes		
Foster homes for children taken	Private homes where children were placed as	
into care	foster children; written agreements concluded	
	between the authorities and foster parents	
Foster homes for children placed	Private homes, often relatives; no officially signed	
there by their own parent(s)	agreements; supervised by local authorities	
Residential institutions		
Children's homes	Run by local authorities, associations, churches	
	and private individuals, housing orphans, needy	
	children and children taken into care	
Reception centres	Institutions in which children were assessed	
	before long-term placement	
Reform schools	For children and young people deemed anti-social	
	and uncontrollable by authorities	

Around two hundred residential institutions, most of them children's homes, operated in Finland from 1937 to 1983. Annually around 5,000 children were placed in these. In the early 1960s new social movements, especially the so-called November Movement, criticized institutional treatment of children in care. Partly as the result of criticism, a considerable number of reform schools were closed. In 1958, the capacity of altogether 17 reforms schools was 1,150 places. By 1970, the number of reform schools dropped to 13, and they could house 635 children or young people. <sup>21</sup>

Children's homes were changing, too, and new specialized institutions were introduced in the 1950s. For example, the so-called family group homes developed to make up for the shortage of foster parents. However, it was only in the late 1960s that the number of specialized children's homes grew steadily.<sup>22</sup>

The number of foster homes is more difficult to estimate. Over 32,000 children were living in foster care in 1937, but the number of foster children declined rapidly from the 1940s onwards. From the 1950s to the 1970s around 15,000 Finnish children were placed in foster care annually. Approximately 4,000–7,000 of them were known to be placed privately by their parents. The number was probably even higher, because foster parents did not always comply with the instructions to inform the authorities about private placements. In 1983 a total of some 8,500 children were in out-of-home care.<sup>23</sup>

The Act on State Reformatories (1924) was another law regulating the care of children deemed delinquent or anti-social. The legislation distinguished between adults and minor offenders and assigned such children to reform schools for re-education. Children exhibiting other symptoms of delinquent behaviour might also be placed in reform schools. Placement could happen at the request of parents or guardians, or of the municipal authorities.<sup>24</sup> The system was gendered, and girls sent to reform schools were typically claimed to have shown delinquency and morally reprehensible behaviour, and boys anti-social behaviour and offences.<sup>25</sup>

Some groups of children were over-represented in out-of-home care. Illegitimate children were at decidedly higher risk of being taken into care compared to children living with married parents. From the 1940s to the 1960s over 40 per cent of all children in care were born out of wedlock, whereas the total share of illegitimate children born in the 1930s to the 1960s was between four and seven per cent of the whole age cohort.<sup>26</sup>

The scope of the Inquiry included both foster homes and institutions. This choice followed the Swedish Inquiry, with the exception that children placed by their own parents were excluded in Sweden and included in Finland. Our interviews revealed that many informants did not know whether they were placed by the authorities or by their parents. In many other countries, e.g. Norway, Iceland and Denmark, only institutional care was surveyed. Abuse and neglect were defined as physical, emotional and sexual violence as well as the neglect of children's basic needs. This choice, for its part, followed a more common Nordic pattern. Many other national or regional inquiries have focused on sexual abuse. The period to be scrutinized in Finland followed a common pattern established in previous inquiries.<sup>27</sup>

#### 4. The implementation of the Inquiry

The research team which accomplished the Inquiry consisted of scholars in history, ethnology and social work. This combination was chosen by the team to meet the key principles of the Inquiry, i.e. to give a voice to care-leavers, to contextualize child welfare measures in the past, and to make recommendations for child welfare policies in the future. The team therefore combined ethnological expertise in studying memory, experiences and oral history, historians' expertise in historical documents and contextualization, and the expertise of social work researchers in current child welfare. The Inquiry was led by an historian who could rely on the support of experienced scholars in social work and ethnology.

Some 300 qualitative oral interviews were conducted to collect the reminiscences and narrated experiences of the victims, eyewitnesses and abusers alike. The researchers did not seek informants from child welfare files or institutional archives; on the contrary, informants contacted the team if they wished to give an

interview. Information about the Inquiry was disseminated extensively in the media and on the website of the project. Also, printed brochures were sent to municipal social work offices and private welfare institutions, such as shelters and associations working with elderly people. Participation was voluntary and care-leavers were advised of their right to withdraw from the Inquiry at any phase of the study. This also happened. The Inquiry proved too burdensome for some of the care-leavers, who eventually cancelled their interviews.<sup>29</sup>

Two thirds of informants were born between 1945 and 1965, which means that most of the experiences date to the 1950s, 1960s and 1970s. Fifty-eight per cent of the interviewees were women. Most of the children in out-of-home care were boys, meaning that women are slightly over-represented among the interviewees. However, the research team did not consider this a serious problem, since the data is not quantitative. Many informants not only recounted their personal experiences but also told about their friends, siblings and other people. Moreover, those interviewees who had worked in child welfare institutions were mainly women.

In line with the other Nordic inquiries, the Finnish Inquiry shared an explicit commitment to listen to the testimonies of victims/survivors.<sup>31</sup> The research plan of the Inquiry, prepared by the previously mentioned working group, placed great emphasis on the role and significance of lived experiences. Following the tradition of truth commissions, the researchers were not expected to disbelieve or doubt the authenticity of the experiences emerging. The interviewees themselves determined whether their experiences fulfilled the criteria of violence, abuse or neglect.

The research team used a semi-structured questionnaire. Following the tried and tested Swedish example, the interviews were conducted by interviewers in pairs.<sup>32</sup> The interviews took place in private homes or other locations nearby to provide a safe

environment in which the interviewees could tell their stories. The interviews lasted from one to five hours and were conducted in Finnish or in Swedish, according to the choice of the interviewee. They could also choose if their interviewers were men or women. This was especially important for women who had experienced sexual violence and preferred to talk to female researchers.<sup>33</sup>

Many care-leavers were speaking about their traumatic childhood for the first time in their lives. As reminiscing about a traumatic childhood can cause a stress reaction, the researchers mentioned possible reactions and gave the interviewees contact information on the closest crisis centre. Moreover, a follow-up phone call was made.<sup>34</sup>

The interviews are transcribed and anonymized, and the informant's year of birth is mentioned only as being within a five-year period.<sup>35</sup> The strict anonymization policy was demanded not only by the ethical rules followed by the research team itself but also by the Ethical Board of the University and the Ministry commissioning the Inquiry. In addition, for some informants the promise of total anonymity was a precondition for giving an interview. Some others were willing to give their full name, and especially, with the names of abusers. For them, anonymity meant continuation of secrecy and hiding past injustice. In Australia, the Royal Commission into Institutional Responses to Child Sexual Abuse ensured the anonymity of victims and survivors by using pseudonyms. However, the Royal Commission had the mandate to compel people to give evidence at formal hearings. In such hearings evidence is typically given in public, but some witnesses were allowed to adopt a pseudonym or suppress their personal information. <sup>36</sup> Some other studies, e.g. the Danish project *In Care, in History* <sup>37</sup> that interviewed previously institutionalized people allowed the informants to decide whether their interviews were anonymized or not, but the Finnish Inquiry was committed to anonymization.

Interview material was analysed as life-stories, using the methodological tools provided by oral history. <sup>38</sup> Memories of out-of-home care were read as adults' interpretations of their own childhood produced in a dialogue between interviewer and interviewee. The data was primarily analysed as the experienced truth of the interviewees. <sup>39</sup> The oral history approach of the Inquiry advanced the moral objective to listen to the interviewees' stories and offer them an opportunity to recount their experiences. <sup>40</sup> The Inquiry team concluded that the particularly large number of testimonies referring to similar experiences reveals patterns and practices that made violence and abuse possible in the past.

Concerning the objective of producing knowledge on past wrongs, the oral history approach was complemented with historical contextualization. <sup>41</sup> The nature and characteristics of reminiscence material make it difficult to study, for example, how authorities in the past understood and defined the problems of child welfare. The Inquiry team turned to committee reports, correspondence and other material related to the implementation of the Child Welfare Act. These explorations among other things revealed some ways in which central administration and local authorities struggled with the inadequacies of out-of-home care. <sup>42</sup>

Moreover, the Inquiry team intended to avoid projecting present values onto the past. For example, the Inquiry distinguished between authorized corporal punishment and excessive, unauthorized corporal punishment. This served to reveal the cases where corporal punishment was excessive by the standards of the time. A fair contextualization of experiences is also essential from the viewpoint of research ethics and helps to see the scale and surroundings of the experiences. However, contextualization cannot condone past wrongs, but it helps to reveal mechanisms that made such injustice possible.

# 5. Experiences of abuse, violence and neglect

The findings of the Finnish Inquiry do not differ significantly from those of similar inquiries carried out elsewhere. It reveals a wide spectrum of neglect, abuse and violence in children's out-of-home care. 44 Moreover, the Finnish material strongly indicates that violence and abuse of children were perpetrated in all forms of out-of-home care: in various types of institutions as well as in foster families. Silence and personal shame connected to childhood in out-of-home care are also revealed by the Finnish Inquiry, thus corroborating the testimonies of its international counterparts. 45

In Table 2 we distinguish three categories of abuse revealed by the Inquiry.

First, the Inquiry discovered structural violence and neglect in the implementation of child welfare. Second, various forms of violence – physical, emotional and sexual – were perpetrated. Third, there was an obvious neglect of children's basic needs and care. It is noteworthy that all forms of abuse, neglect and violence occurred in all forms of out-of-home care, i.e. in institutions and in foster families. 46

Table 2. Main results of the historical inquiry into the abuse and neglect of children in out-of-home care in Finland, 1937–1983.

Form of abuse and neglect	Typical modes of inflicting harm and injustice	Enabling factors
Structural violence	- Discipline and routines in reform schools similar to prisons - Several placements per person (1–30) - Ties between children, parents or siblings not supported - 'Dual neglect': children appealing to authorities ignored	<ul> <li>No information about rights or ways to demand better treatment</li> <li>Children stigmatized as untrustworthy</li> <li>Inadequate supervision</li> </ul>
Violence	Physical violence: - Adults towards children, between children in institutions - Punishments meted out by foster mothers  Sexual violence: - Men abusing girls, some female abusers - Among children in institutions  Mental (psychological) violence: - Humiliation and denigration - Making children feel guilty for being abused - Making children feel worthless and hopeless, by belittling and undervaluing them and their capabilities	- Some adults encouraged children's aggressive behavior - Forms of violence intertwined: victims silenced by fear and shame - Isolation of rural families and institutions
Neglect of children's basic needs	<ul> <li>Failures to provide safety, food, clothing and education</li> <li>Abuse of children through work exceeding their strength</li> <li>No time for school homework; no support for education</li> </ul>	<ul> <li>Practice of favouring foster care due to lower costs</li> <li>Shortage of suitable foster parents</li> <li>Inadequate supervision of foster homes</li> </ul>

The Inquiry revealed an institutional culture of violence prevalent in children's out-of-home care. Violence among children was more common in institutions than in foster families. Problems of peer violence, such as bullying, already attracted attention and public disapprobation in the 1940s. <sup>47</sup> The state reform schools, in particular, were sites in which most of the children were familiar with violence as a way to exercise power, and sometimes their supervisors encouraged aggressive behavior. Every interview containing memories of reform schools also includes memories of violence. <sup>48</sup> Violence among children and violence against children by adults often occurred side-by-side.

The Inquiry exposed a striking amount of physical violence in foster families. In general, there is less research on foster families than on child welfare institutions. The Inquiry suggests that respect for the privacy of families was strong. According to some of the interviewees, even brutal violence was used as a punishment for bad behaviour, and the rules of good behaviour changed constantly.<sup>49</sup>

Abuse of children through age-inappropriate work exceeding their strength was common not only in foster families but also in institutions. Reform schools were typically large farms, and they got part of their income from agriculture. Reform schools trained their inmates in the skills for agriculture, although boys in the 1960s and 1970s were mainly employed in other sectors. <sup>50</sup> Emphasis on farm labour reflected the popular belief in the purifying and rehabilitative effects of rural work.

The Inquiry applied the concept of 'dual neglect', representing one form of structural violence. Dual neglect refers to a situation in which children appealed to the authorities, but their pleas were ignored, and the neglect and abuse continued. It was common for children in care to be labelled as untrustworthy or mentally disturbed.<sup>51</sup> The combination of social attitudes towards children with indifference of local authorities towards inspection, created environments in which abuse and neglect continued. In general, children in care had trouble in presenting themselves as credible witnesses as Carol Brennan and Harry Ferguson, among others, have pointed out.<sup>52</sup> The structures of child welfare as well as the norms of society made it possible to assume that a child reporting abuse was a liar.<sup>53</sup>

The care-leavers interviewed for the Inquiry narrated their unique life stories.

The impact of abuse and neglect encroached on most areas of their lives, including interpersonal relationships and mental and physical health.<sup>54</sup> Not only abuse and neglect but also inadequate institutional responses created additional adverse experiences. The

Inquiry revealed that many of those leaving care, especially between the 1940s and 1960s, felt unable to disclose their experiences. Many care-leavers tried to bear their burden in silence, possibly due to the stigma attached to their past and the associated shame. <sup>55</sup> As a result, some of the care-leavers lost their faith in the authorities and were embittered, becoming distrustful and contemptuous of welfare institutions and people in positions of authority. This meant that they were less likely to accept support from social and health care providers, or to share their experiences with the authorities. In this context, commissioned research proved to be beneficial. The interviewers, known to come from university, were mainly received as politically neutral researchers, not as representatives of the state or the untrustworthy welfare institutions. <sup>56</sup>

# 6. Recognition, redress and the future: The impacts of the Finnish Inquiry

Various aspects of recognition and redress were present in the Finnish Inquiry. A call for symbolic and material compensation has intensified in all the countries in which inquiries into the failures of child welfare have been pursued. One form of recognition is listening and giving a voice to those who have experienced injustice. It was a declared task of the Inquiry to give a voice to the survivors of child welfare in the past, and to look at the experiences over a long time span. <sup>57</sup> In this respect, the testimony driven model had clear advantages in Finland. Oral histories reveal problems that may remain invisible in case files and other documents. The Inquiry allowed informants to voice their experiences and have them heard. Moreover, speaking to the interviewers was sometimes therapeutic.

Giving an interview could be difficult, but good things also followed: Some of the participants were empowered to seek help, or to trace and contact their family members or to join peer support groups. <sup>58</sup> Growing publicity and awareness of past

injustices has also created new opportunities for children in care and for professionals working within child protection to speak and take up their worries.<sup>59</sup> In past decades children's accounts of harm and abuse were discredited quite easily, but in light of recent inquiries and studies it is much more difficult to portray children as unreliable witnesses.

Finnish care-leavers stressed that there was little space to speak out, especially in the 1940s–1970s, or it was stigmatizing to speak out in public. Before the era of inquiries some documentary films, tabloids and popular papers provided them with opportunities to share their experiences. The testimony driven approach of the Inquiry, together with some other scholarly work<sup>60</sup>, strengthened the voices of care-leavers and helped them to air their grievances.

Claims for redress and financial compensation intensified during the Inquiry process. The results of the inquiry were presented to the interviewees in a seminar, only one day before the report was made public in April 2016. The care-leavers and other informants who participated in the seminar expressed some general requests for symbolic and material reparations related to the Inquiry. First, they expected a public apology at a ceremony in which those responsible for child welfare would sincerely apologise. Second, care-leavers argued that the state owes them financial compensation for their suffering. Third, a good number of care-leavers called for improvements in child welfare practices. At the event, and also during the interviews, many care-leavers motivated their testimonies with a wish that no children should ever be treated as they were. Other suggestions included public support for therapy costs and organised peer support. Many discussants emphasized that an apology should be complemented by improvements in current child welfare and financial compensation to care-leavers, whereas others would be content with improvements in current child welfare.

The apology ceremony prepared by the Ministry of Social Affairs and Health was arranged in 20 November 2016, International Children's Day. Mr Juha Rehula, Minister of Family Affairs and Social Services, officially made an apology on behalf of the Republic of Finland to those who had been victims of ill-treatment in child welfare. The whole Inquiry team, including interviewers and interviewees were invited to attend the public ceremony in Helsinki. Claims for financial redress, however, were not addressed in the official apology, and the apology ceremony remained the last direct outcome of the Inquiry.<sup>63</sup>

Issues of redress and compensation were beyond the scope of the Inquiry, and the report makes no comment on the topic. For that purpose, another Inquiry with a different focus would be needed. However, only five months after the report on the Inquiry was released, a sociological study on the suppressed experiences of children growing up in reform schools was published. The authors of the study, based on interviews with some 30 care-leavers, Marjo Laitala and Vesa Puuronen, demanded an apology and financial compensation for children abused in public and private reform schools. They were active in other public forums, too.

The Inquiry produced specific historical narratives about childhood in care, and one of the unintended consequences of the project may have been that historical narratives of abuse and neglect have become dominant. Positive memories of out-of-home care are peripheral in the public memory, at least for the moment. <sup>66</sup> Since the release of the Inquiry report it has been mostly social activists and individual care-leavers who have returned to the questions of historical abuse and neglect of children. Former inmates of reform schools have been especially active in sharing their experiences semi-publicly, in Facebook groups and discussion forums. One of their aims is to gather support for a financial redress scheme, and make the authorities accountable for their wrongdoing.

Care-leavers who were placed in foster homes have not formed similar memory communities.<sup>67</sup>

Public discussion and the parliamentary debates that preceded and followed the apology ceremony have not led to direct measures to prepare a redress scheme in Finland. Ms. Maria Guzenina, MP, whose party, the Social Democrats, was in political opposition during the Inquiry, continued to promote a redress scheme. She presented written questions to the Government in September 2016 and November 2017. As a response to these, the new Minister of Family Affairs and Social Services, Ms. Annika Saarikko stated that compensation schemes are often problematic. In 2017, she made an emphasis on future child welfare evident. 68

So far it remains difficult to estimate what role the Inquiry has played in the decisions of the government to improve child welfare services. In conjunction with the official apology in November 2016, the Ministry of Social Affairs and Health issued a press release. They reported that although there was no decision 'on starting collective compensation proceedings', the key project of the government to address child and family services had allocated 40 million Euros to develop processes and procedures for child and family services during the on-going parliamentary term. Child welfare was stated to form a significant part of this work.<sup>69</sup> According to the press release, it seems that the government did indeed respond to the recommendations to improve child welfare services.

Moreover, there is an obvious link between the Inquiry and a later funding programme launched by the Ministry. In 2018 the recently established Funding Centre for Social Welfare and Health Organisations targeted funding for non-governmental organizations supporting victims and survivors of neglect and abuse in out-of-home

care. 70 This emphasis in the funding policy can be read as a reference to the recommendations of the Inquiry.

## 7. The Inquiry as commissioned research

Regarding the aims and objectives of the Inquiry, the model of commissioned research proved to have both strengths and weaknesses. The Inquiry, commissioned by the Ministry of Social Affairs and Health and implemented in an academic context, had strengths in its knowledge production as well as in its political neutrality. One of the main objectives, as stated in the terms of reference, was to produce new knowledge and learn more about the failures of child welfare. Without interviews and an oral history approach, this kind of knowledge production would not have been possible. The 300 interviews gave a painfully vivid picture of the various forms of neglect, abuse and violence all too prevalent in the history of out-of-home care in Finland. Prominent child welfare organizations welcomed the Inquiry report as it served to facilitate discussion on sensitive topics and opened new discursive spaces for public discussion.

The moral objective of the Inquiry proved to be a more complicated task. Careleavers who gave testimony saw the interviews as an opportunity to voice their lived experiences and to be heard. The interviews delved into sensitive and painful experiences, and some interviewees were openly embittered. Because of abuse, they felt that the institutions designated to take care of them had betrayed them, and this often resulted in a distrust of institutions and sometimes of the state in general. Academic scholars were mainly seen as politically neutral. Some interviewees tried to recruit the interviewers as advocates for their cause. During the interviews it became clear that many care-leavers sincerely hoped that the Inquiry would lead to financial

compensation and a national redress scheme, especially for those who had been abused and neglected in state reform schools. The interviewers could only explain that the terms of reference for the Inquiry made no mention of a redress scheme or financial compensation. To date, the Ministry of Social Affairs and Health has not reached a decision on material compensation for those who were abused in public child welfare.

The anonymization of data proved more complex than expected. According to the data protection regulations, complete anonymization of sensitive data is mandatory. For some interviewees, anonymization was also a crucial precondition for their participation. The anonymized data meets these requirements, but for some informants it may be a disappointment. If a redress scheme is ever initiated, the data of the Inquiry cannot be used as testimony as all interviewees are unidentifiable in the archived data. Thus the logics of anonymization and redress can even be contradictory.

The third objective of the Inquiry was to learn from the past, to improve child welfare services and to find solutions to prevent misconduct in the future. The Inquiry team issued eight recommendations for the improvement of child welfare services.

These were based on the Inquiry, the 2014 national quality recommendations for child welfare and the current child welfare legislation. The recommendations included two core principles related to the rights of children and to the organization of out-of-home care. First, children have a right to be heard and they have a right to be informed about all matters concerning them. Second, a key aspect of the recommendations is regular monitoring not only of placements but also of the implementation of recommendations issued to correct the shortcomings in child welfare.

Although the developmental objective of the Inquiry was to some extent achieved, the model applied in the Finnish Inquiry also has its weaknesses, especially in relation to the monitoring of the implementation of recommendations. The

recommendations, which demand increasing public control, are contradictory to the principles of New Public Management, which aim at reducing public control.

Since the 1990s the introduction of New Public Management has brought new basic premises to the organization of the public sector and service production, including increasing cost awareness, privatization and outsourcing. 71 These new premises were also inherent in the commissioning of the Inquiry and the implementation of the recommendations. In the tendering process interested parties were already competing against each other in demonstrating their performance and ability to provide the requested output. Similarly, the implementation of recommendations is outsourced to non-governmental organizations, which are entitled to apply for funding from the Funding Centre for Social Welfare and Health Organisations. Not only inquiries but also the solving of the problems are outsourced.

Moreover, both the research team at the University of Jyväskylä and the team of civil servants responsible for co-ordinating the Inquiry at the Ministry of Social Affairs and Health were formed on an *ad hoc* basis. After the completion of the Inquiry, both teams were disbanded and the members moved on to other projects. <sup>72</sup> Commissioned reports are not effective in terms of implementation. Commissioned work outsources expertise from the state machinery to *ad hoc* teams with no mandate to implement their recommendations. It ultimately depends on the state authorities commissioning research projects and inquiries whether or not these recommendations are implemented.

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<sup>&</sup>lt;sup>1</sup> E.g. Van Bueren, The International Law; Olick, *The Politics*; Barkan, *The Guilt*; Löfström, Voiko historiaa.

<sup>&</sup>lt;sup>2</sup> Hytönen, Malinen et al. *Lastensuojelun sijaishuollon*. The Inquiry was conducted at the Department of History and Ethnology. The authors of this article contributed to the Inquiry, Hytönen and Malinen as researchers and Markkola as the director of the project.

<sup>&</sup>lt;sup>3</sup> The concept 'apology movement' was used by Swain, Wright and Sköld, Conceptualising and Categorising, 10.

<sup>&</sup>lt;sup>4</sup> The concept suggested by Swain, Wright and Sköld, Conceptualising and Categorising, 10.

<sup>&</sup>lt;sup>5</sup> Ministry of Social Affairs and Health, Press release (in Finnish). [http://stm.fi/artikkeli/-/asset publisher/lastensuojelun-sijaishuollossa-kaltoin-kohdelluilta-pyydettiin-anteeksi] Accessed 26th January 2018.

<sup>&</sup>lt;sup>6</sup> Sopimus selvitystyöstä. Ministry of Social Affairs and Health, Contract 016/STO/EER/2014.

<sup>&</sup>lt;sup>7</sup> Selvitystyön suunnitelma, 3–4.

- On changes in the Nordic inquiry tradition, see Swain, Wright and Sköld, Conceptualising and Categorising, 4; See also Wright, Remaking Collective Knowledge, 12; Marier, Public Inquiries, 171; Rainio-Niemi, Nordic Paradox, 40.
- <sup>11</sup> Rytter, *Godhavnsrapporten*; Rytter and Rasmussen, The Godhavn Inquiry; Swain, Wright and Sköld, Conceptualising and Categorising, 4; Arvidsson in this special issue.
- <sup>12</sup> Pösö, Kolme koulukotia; Pösö, Vakavat silmät; Pekkarinen, Stadilaispojat.
- <sup>13</sup> Cf. Wright, Remaking Collective Knowledge, 11.
- <sup>14</sup> Muhonen et. al, *From productive interactions*, 13.
- <sup>15</sup> Selvitystyön suunnitelma, 4.
- The chair from the Ministry was an adjunct professor in health sciences, other members included professor of history and research professor from the National Institute for Health and Welfare.
- <sup>17</sup> This conclusion is based on our notes from the steering group meetings in 2014–2016.
- <sup>18</sup> See e.g. Harrikari, *Alaikäisyys ja rikollisuuden*; Pekkarinen, *Stadilaispojat*; Vehkalahti, *Constructing reformatory identity*.
- <sup>19</sup> See e.g. Pösö, Kolme koulukotia; Pösö, Vakavat silmät.
- <sup>20</sup> Selvitystyön suunnitelma, 8.
- <sup>21</sup> See STV 1971, 81.
- <sup>22</sup> Rautanen, Perheryhmäkoti; Korpi and Hernesniemi, Lastenkodit; Hytönen, Malinen et al. Lastensuojelun sijaishuollon, 33, 38.
- <sup>23</sup> Selvitystyön suunnitelma, 8.
- <sup>24</sup> Vehkalahti, Constructing reformatory identity, xiii-xiv.
- <sup>25</sup> Vehkalahti, Constructing reformatory identity, 32; Haikari, Latu auki, 17.
- <sup>26</sup> STV 1962, Table 42. Maternities, live births and stillbirths.

<sup>Sköld, Apology Politics, 23; Malinen, Hytönen and Oksanen, Lastensuojelun hallinnosta, 90–
1. Cf. Wright, Remaking Collective Knowledge, 10.</sup> 

<sup>&</sup>lt;sup>9</sup> Harrinvirta, *Strategies of public*.

- Sköld, The truth about; Sköld and Swain, Introduction, 2; Wright, Remaking Collective Knowledge, 14. In the Commonwealth countries and in Ireland inquiries are conducted in a more legalistic fashion. Formal public hearings are typically an important part of investigatory process. Wright, Remaking Collective Knowledge, 15.
- <sup>32</sup> Hytönen, Malinen et al. Lastensuojelun sijaishuollon.
- <sup>33</sup> Frank, "Just Trying to Relax", 63; On gender aspects, see e.g. Bozzoli, Interviewing the Women.
- <sup>34</sup> Hytönen, Malinen et al. *Lastensuojelun sijaishuollon*; Klempner, Navigating life review.
- 35 The material will be archived in the Finnish Social Science Data Archive (FSD). All informants gave written informed consent to participate and to the archiving of the interview for use in future research. In Sweden consent for future research must be acquired separately.

- <sup>40</sup> Hytönen, Malinen et al. *Lastensuojelun sijaishuollon*, 19; on giving a voice to abused and neglected children, see e.g. Wilson and Golding, Contested Memories; Sköld and Vehkalahti, Marginalized Children, 406–7.
- <sup>41</sup> However, we did not compare interviews with the interviewees' case files. On narratives vs. archival records, see Sköld and Jensen, Truth seeking, 160–1; On epistemological dilemma

<sup>&</sup>lt;sup>27</sup> E.g. Sweden up to 1980, Denmark 1945–1976, Oslo in Norway 1954–1993, Northern Ireland 1922–1995. In Finland, young care-leavers wanted to give their testimonies. Some inquiries in Australia cover the present abuse. On inquiries, see Wright, Swain and Sköld, Conceptualising and Categorising.

<sup>&</sup>lt;sup>28</sup> Selvitystyön suunnitelma, 4.

<sup>&</sup>lt;sup>29</sup> Hytönen, Malinen et al. Lastensuojelun sijaishuollon, 17.

<sup>&</sup>lt;sup>30</sup> Cf. in the Danish inquiry 14 women out of 99 informants. Rytter, *Godhavnsrapporten*, 14.

<sup>&</sup>lt;sup>36</sup> Royal Commission, 4.

<sup>&</sup>lt;sup>37</sup> Grønbæk Jensen et al., *Anbragt i Historien*.

<sup>&</sup>lt;sup>38</sup> Abrams, Oral history theory, 40–2; Thompson, Voice of the Past.

<sup>&</sup>lt;sup>39</sup> See e.g. Portelli, What makes oral history different; Abrams, *Oral history theory*.

between the objective of knowledge production and the objective of recognition and justice, see Sköld, The truth about, 493–4.

- <sup>42</sup> Hytönen, Malinen et al., Lastensuojelun sijaishuollon, 159.
- <sup>43</sup> Kalela, *Making history*, 128–9.
- <sup>44</sup> Cf. findings reported by Wright, Swain and Sköld, *The Age of Inquiry*; Wright, Remaking Collective Knowledge 17.
- <sup>45</sup> Sköld, The truth about, 507.
- <sup>46</sup> Table 2 shows only main characteristics of the results, and thus simplifies the experiences of abuse, neglect and violence of the interviewees. The detailed analysis of the results will be published elsewhere.
- <sup>47</sup> Hytönen, Malinen et al. Lastensuojelun sijaishuollon, 102–103; Haikari, Latu auki, 107.
- <sup>48</sup> Hytönen, Malinen et al. Lastensuojelun sijaishuollon, 34.
- <sup>49</sup> Hytönen, Malinen et al., Lastensuojelun sijaishuollon, 168–9.
- <sup>50</sup> Hytönen, Malinen et al., *Lastensuojelun sijaishuollon*; Haikari, *Latu auki*, 118.
- <sup>51</sup> Hytönen, Malinen et al., Lastensuojelun sijaishuollon, 15, 166.
- <sup>52</sup> Brennan, Trials and Contestations; Ferguson, Abused and Looked After, 127.
- <sup>53</sup> Cf. Ericsson, Children's Agency, 49–50.
- <sup>54</sup> Hytönen, Malinen et al., *Lastensuojelun sijaishuollon*, 159.
- <sup>55</sup> Cf. Savolainen, Tellability, frame and silence, 35.
- <sup>56</sup> According to Gallup polls in Finland universities are often among the top five most trusted institutions. See e.g. Summary of the Finnish Science Barometer.
- <sup>57</sup> On the role of historians, see Bingham et. al., Historical child.
- <sup>58</sup> Hytönen, Malinen et al., *Lastensuojelun sijaishuollon*, 175; Cf. Brennan, Trials and Contestations, 65–66.
- <sup>59</sup> For example, child welfare association Pesäpuu ry organized a programme entitled "Experienced together" (2017) which purpose was to influence the general public's attitudes and prejudices regarding child welfare.
- <sup>60</sup> E.g. Pösö, *Vakavat silmät*; Laitala and Puuronen, *Yhteiskunnan tahra*.

<sup>61</sup> Löfström, Voiko historiaa.

- <sup>63</sup> Press release 212/2016, Official apology to everyone who suffered maltreatment in foster care in past decades. Ministry of Social Affairs and Health 20.11.2016.
- <sup>64</sup> Cf. Sweden where another committee (SOU 2011:9) prepared the redress scheme.
  Selvitystyön suunnitelma, 16.
- 65 Laitala and Puuronen, Yhteiskunnan tahra, 238–239.
- <sup>66</sup> Sköld, The truth about, 493; Edwards, Cultural, Autobiographical.
- <sup>67</sup> Cf. Conway, Commemoration and, 6.
- <sup>68</sup> Answer to the written question KKV 454/2017. Parliament records 2017.
- <sup>69</sup> See <a href="http://valtioneuvosto.fi/en/artikkeli/-/asset\_publisher/1271139/lastensuojelun-sijaishuollossa-kaltoin-kohdelluilta-pyydettiin-anteeksi">http://valtioneuvosto.fi/en/artikkeli/-/asset\_publisher/1271139/lastensuojelun-sijaishuollossa-kaltoin-kohdelluilta-pyydettiin-anteeksi</a>, accessed 26.1.2018; In 2015 Åland issued an apology and allocated funds to develop child welfare services. See Government of Åland: Roos and Lund, *Det värsta var övergivenheten*.
- On the funding centre in English, see https://www.stea.fi/web/en; On the grants, see <a href="https://www.stea.fi/aineistopankki">https://www.stea.fi/aineistopankki</a>. Accessed 29.6.2018.
- <sup>71</sup> Harrinvirta, *Strategies of public*.
- <sup>72</sup> Moreover, a senior civil servant who chaired the steering group suddenly passed away, and the Ministry lost much of its tacit and explicit knowledge related to the Inquiry.

<sup>&</sup>lt;sup>62</sup> Markkola, *Historiantutkimus ja*, 222.